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PUBLIC BUILDINGS—1963

HEARING

BEFORE A

SUBCOMMITTEE OF THE COMMITTEE ON PUBLIC WORKS UNITED STATES SENATE

EIGHTY-EIGHTH CONGRESS

FIRST SESSION

ON

PROSPECTUSES FOR CONSTRUCTION OF NEW BUILDINGS AND EXTENSION OR ALTERATION OF EXISTING FEDERAL BUILDINGS

MARCH 20, 1963

Printed for the use of the Committee on Public Works

U.S. GOVERNMENT PRINTING OFFICE
96733 WASHINGTON : 1963

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PUBLIC BUILDINGS—1963

WEDNESDAY, MARCH 20, 1963

U.S. SENATE,
SUBCOMMITTEE ON PUBLIC BUILDINGS AND GROUNDS
OF THE COMMITTEE ON PUBLIC WORKS,
Washington, D.C.

The subcommittee met, pursuant to call, at 10:05 a.m., in room 4200, New Senate Office Building, Senator Stephen M. Young (chairman of the subcommittee) presiding.

Present: Senators Young of Ohio, Jordan, Nelson, and Bayh.

Also present: Senator John Sherman Cooper, of Kentucky.

Senator YOUNG. This hearing will come to order, and we will go ahead as some of my colleagues will be here soon.

I see the distinguished Senator from Kentucky, Senator Cooper, is here.

Now, this hearing has been called for the purpose of taking testimony on whether to authorize buildings outlined in prospectuses covering construction of small Federal buildings, using accelerated public works funds, and certain other prospectuses for construction, extension, or alteration of public buildings, as submitted by the General Services Administration.

Senator COOPER. Mr. Chairman, I am not a member of the subcommittee.

Senator YOUNG. That is all right. We are very happy to have you here.

The first witness will be Lawson B. Knott, Deputy Administrator of the General Services Administration. As I understand it, he is accompanied by William A. Schmidt, Deputy Commissioner of the Public Building Services, and by Robert T. Davis, Director of Legislation of the General Services Administration.

We will be happy to hear from all of you to the extent that you wish to testify on this, and we have your statement, Mr. Knott.

STATEMENT OF LAWSON B. KNOTT, JR., DEPUTY ADMINISTRATOR, GENERAL SERVICES ADMINISTRATION; ACCOMPANIED BY WILLIAM A. SCHMIDT, DEPUTY COMMISSIONER, PUBLIC BUILDING SERVICES; AND ROBERT T. DAVIS, DIRECTOR OF LEGISLATION, GENERAL SERVICES ADMINISTRATION

Senator YOUNG. You may proceed with your testimony.

Mr. KNOTT. Thank you, Mr. Chairman.

Since the statement is brief, Mr. Chairman, and I believe it will serve to highlight our program, I would like to take the 3 or 4 minutes that it would take to read it.

The program that we are presenting to the subcommittee today involves first a revised prospectus for the proposed construction of 87 small public building projects;

Secondly, 74 prospectuses for new buildings and acquisition of land, and 8 for extension and/or conversion of existing buildings; and thirdly, 41 prospectuses for the repair, improvement, and alterations in existing buildings.

(The proposed projects are as follows:)

GENERAL SERVICES ADMINISTRATION

Proposed new construction

State and place	Project	Estimated limit of cost
Alabama:		
Cullman	Post office and Federal office building	$590,200
Tuscaloosa	Courthouse and Federal office building	2,161,000
Alaska: Tok Junction	Border station	1,641,000
Arkansas: Hope	Post office and Federal office building	470,800
California:		
Blythe	do	483,300
Harbor City	do	307,900
Jackson	do	437,000
San Bruno	Records center	1,775,000
Van Nuys	Federal office building	788,400
Colorado:		
Glenwood Springs	Post office and Federal office building	515,400
Leadville	do	267,600
Connecticut:		
Bridgeport	Courthouse and Federal office building	4,277,000
Orange	Post office and Federal office building	270,800
Windsor Locks	do	345,000
Florida:		
Cross City	do	221,400
Ocoee	do	199,300
Umatilla	do	186,900
Georgia:		
Acworth	do	202,600
Americus	Post office and courthouse	1,438,000
Chatsworth	Post office and Federal office building	307,700
Toccoa	do	439,600
Indiana:		
Evansville	Courthouse and Federal office building	3,008,000
Do	Post office and Federal office building	2,233,000
Kansas:		
Scott City	do	433,500
Wellington	do	406,900
Kentucky:		
Covington	Internal Revenue Service center	4,610,000
Olive Hill	Post office and Federal office building	228,100
Paris	do	357,700
Louisiana:		
Crowley	do	471,100
Opelousas	Post office and courthouse	1,292,000
Thibodaux	Post office and Federal office building	422,700
Maryland:		
Baltimore (vicinity)	Patent Office	48,238,000
Centreville	Post office and Federal office building	366,700
Prince Frederick	do	289,100
Suitland	Central heating plant	3,814,000
Massachusetts:		
Boston	Records center	1,073,000
Boston-Lawrence	Internal Revenue Service center	4,980,000
Marlboro	Post office and Federal office building	356,500
Milford	do	414,800
Springfield	do	4,105,000
Michigan:		
Detroit	Federal office building	33,021,000
Grand Haven	Post office and Federal office building	515,800
Missouri:		
Crystal City	do	211,200
Montgomery City	do	377,800
New Hampshire: Berlin	do	446,200
New Jersey:		
Avenel	do	205,000
Burlington	do	409,900
New Mexico: Raton	do	489,800

Proposed new construction—Continued

State and place	Project	Estimated limit of cost
North Carolina:		
Cary	Post office and Federal office building	$184,100
Jacksonville	do	409,700
Raleigh	Post office, courthouse, and Federal office building	7,831,000
Waynesville	Post office and Federal office building	587,800
North Dakota:		
Fargo	do	5,183,000
Pembina	Border station	500,000
Ohio:		
Canton	Post office and Federal office building	2,951,000
Mantua	do	266,900
Oklahoma:		
Elk City	do	368,000
Hugo	do	429,800
Oregon:		
Baker	do	1,500,000
Enterprise	do	270,300
Portland	Federal office building	15,513,000
Prineville	Post office and Federal office building	392,900
Pennsylvania:		
Dallas	do	238,100
Irwin	do	364,700
Tennessee: Oak Ridge	Federal office building	4,026,000
Texas:		
San Antonio	Post office and Federal office building	7,700,000
Sulphur Springs	do	441,600
Vermont: St. Johnsbury	do	482,000
Virginia: Chester	do	194,900
Washington:		
Colville	Federal office building	481,300
Vancouver	do	717,600
Wisconsin: Horicon	Post office and Federal office building	219,700
Washington, D.C.:		
Purchase of land	Squares 168 and 169	7,500,000
Department of Labor Building.	Federal office building	47,617,000
U.S. Tax Court	Courthouse	9,848,000

Proposed extension, conversion

State and place	Project	Estimated limit of cost
California: Calexico	Border station	$1,862,000
Massachusetts:		
Cambridge	Post office and Federal office building	887,000
Springfield	Courthouse and Federal office building	1,334,000
Michigan: Detroit	Roosevelt Park annex	3,821,000
North Dakota: Fargo	Post office and courthouse	747,000
Ohio: Canton	Post office and Federal office building	1,195,000
Vermont: St. Albans	Post office, customhouse, and Federal office building	955,000
Washington, D.C.: National Science Foundation Bldg.	Federal office building	4,531,000

Proposed alteration

State and place	Project	Estimated limit of cost
Alaska: Anchorage	Post office and courthouse	$528,000
California: San Francisco	49 4th Street building	1,812,000
Colorado: Pueblo	Post office and courthouse	304,000
Florida: Fort Myers	Post office	244,000
Georgia:		
Atlanta	Federal annex	209,000
Gainesville	Post office and courthouse	393,000
Illinois: Chicago	Customhouse	844,000
Maryland:		
Baltimore	do	508,000
Suitland	Federal office building No. 3	6,962,000
Do	Federal office building No. 4	985,000

Proposed alteration—Continued

State and place	Project	Estimated limit of cost
Massachusetts: Boston	Appraisers stores	$1,441,000
Minnesota: St. Paul	Post office and customhouse	1,450,000
Missouri:		
St. Joseph	Post office and courthouse	356,000
St. Louis	Federal building, 208 North Broadway	525,000
Do	Post office	279,000
New Jersey:		
Newark	Federal office building, 20 Washington Pl	1,853,000
Do	Post office and courthouse	1,343,000
New York:		
Albany	Post office, courthouse, and customhouse	762,000
Brooklyn	Federal office building, 210 Livingston St	1,851,000
Do	Post office and courthouse	1,327,000
New York	Appraisers stores, 201 Varick St	3,498,000
Do	Federal office building, 252 7th Ave	2,914,000
Do	Post office, Grand Central Annex	399,000
Do	Post office, Morgan Annex	1,145,000
North Carolina: Asheville	Federal building	905,000
Oregon:		
Klamath Falls	Post office	350,000
Medford	Post office and courthouse	266,000
Portland	Courthouse	1,067,000
Pennsylvania: Philadelphia	128 North Broad St	1,616,000
South Dakota: Sioux Falls	Post office and courthouse	273,000
Tennessee: Memphis	Post office, courthouse, and customhouse	560,000
Utah: Clearfield	Naval Supply Depot	1,265,000
Virginia:		
Arlington	Temporary building, No. 7	366,000
Do	Virginia heating, refrigeration and sewage disposal plants	1,472,000
Washington: Seattle	Courthouse	928,000
Wisconsin: Milwaukee	342 North Water St	445,000
Washington, D.C	Central heating and refrigeration plant	653,000
Do	Treasury Annex	453,000
Do	101 Indiana Ave. N.W	825,000
Do	1626 K St., N.W	480,000
Do	24th and M Street building	252,00

Proposed small public building projects

State and place	Project	Estimated limit of cost
Alabama:		
Centre	Federal office building	$217,600
Vernon	Post Office and Federal Office building	242,900
Arkansas:		
McCrory	do	153,000
Marshall	do	293,600
Mountain Home	do	296,700
California:		
Del Mar	do	382,700
Solana Beach	do	284,700
Weed	do	224,800
Florida:		
Fort Lauderdale, Oakland Park Branch	do	231,400
Miami, Gratigny Branch	do	298,800
Georgia: Warm Springs	do	116,500
Idaho: St. Maries	do	318,400
Illinois:		
Arthur	do	202,000
Red Bud	do	174,900
Indiana:		
Scottsburg	do	322,100
Shoals	do	177,200
Kentucky:		
Clinton	do	310,300
Cumberland	do	158,800
Richmond	Federal office building	273,900
Russell Springs	Post office and Federal office building	164,700
Louisiana:		
Gueydan	do	159,500
Mamou	do	123,600
Mansura	do	146,700
Oberlin	do	155,100

Proposed small public building projects—Continued

State and place	Project	Estimated limit of cost
Maine:		
Calais	Post Office and Federal office building	$369,400
Lubec	do	181,700
Machias	do	317,300
Maryland: Northeast	do	218,100
Michigan:		
Lawton	do	139,500
Mancelona	do	174,300
Minnesota: Baudette	do	275,500
Mississippi:		
Bay Springs	do	224,900
Coldwater	do	128,600
Port Gibson	do	219,400
Richton	do	125,300
Missouri:		
Branson	do	245,000
Cabool	do	190,300
Nebraska:		
Fullerton	do	283,700
Gothenburg	do	252,800
New York: Keeseville	do	170,600
North Carolina:		
Andrews	do	157,400
Kinston	Federal office building	253,300
Mars Hill	Post office and Federal office building	153,400
Raeford	do	320,100
Rich Square	do	136,200
Windsor	do	225,400
Ohio:		
Ashtabula	Federal office building	291,400
Hillsboro	Post office and Federal office building	457,400
Malta	do	179,600
Oklahoma:		
Afton	do	186,400
Jay	do	259,000
Wilburton	do	311,400
Oregon: Scappoose	do	216,000
Pennsylvania:		
Berwick	do	417,200
Brookville	do	261,200
Duncannon	do	161,300
Falls Creek	do	166,700
Galeton	do	194,000
Hawley	do	252,900
Montrose	do	257,200
New Bethlehem	do	241,200
Pittsburgh:		
Cedarhurst branch	do	349,500
Green Tree branch	do	349,500
Pleasant Hills branch	do	343,500
Youngsville	do	173,500
Puerto Rico: Humacao	do	292,400
Rhode Island: Providence, Olneyville station.	do	347,800
South Carolina:		
Elloree	do	133,300
Ridgeland	do	337,500
Williston	do	146,800
Tennessee: Oneida	do	198,200
Texas:		
Buffalo	do	154,100
Carthage	do	374,000
Fairfield	do	251,600
Gonzales	do	365,000
Naples	do	182,400
Utah: Heber	do	277,500
Washington:		
Cle Elum	do	201,900
Newport	do	234,500
West Virginia:		
Cassaway	do	203,000
Glenville	do	253,500
Parsons	do	279,400
Pineville	do	252,500
Summersville	do	343,000
White Sulphur Springs	do	236,000
Wisconsin:		
Eagle River	do	278,900
Elroy	do	164,300
Total (87 projects)		20,768,600

Mr. KNOTT. However, before discussing these prospectuses with you I wish to take this opportunity of giving your subcommittee a brief summary report covering the status of Federal building projects authorized for construction and alteration under the Public Buildings Act of 1959.

Since the enactment of the Public Buildings Act in September 1959, the Committee on Public Works of the Senate and House of Representatives, respectively, have approved 128 projects for the construction of new buildings and 29 projects for extension and conversion of existing buildings under a total maximum limit of cost of $1.35 billion for the 157 projects.

Of the total of 157 projects for new buildings and extensions and conversions, 92 projects have been funded for construction. Of the 92 projects, 43 have been completed or are being constructed, and 44 of the remaining 49 projects are under design and will be placed under contract by fiscal year 1964.

There remain 64 approved construction projects, unfunded for improvements, 33 of which are included in the 1964 budget for construction appropriations.

The committees have also approved prospectuses for 110 repair and improvement projects totaling $221.1 million which contemplate funding and performance of the work over a 5-year period. Of this total, $45.4 million has been funded through fiscal year 1963, $15.3 million is included in the pending 1964 budget, and the balance of $160.4 million is to be funded in subsequent years.

As authorized and directed by the 1959 act, the General Services Administration is continuing its investigation of public building needs throughout the United States. Some 2,000 communities have been studied to determine the short- and long-range solutions to the space problems in these cities and the need, if any, for public building construction and its comparative urgency. Approximately 250 additional studies will be made this year and about 250 restudies are scheduled to keep abreast of changing space requirements resulting from expansion or modification in agency programs and housing requirements.

I should like to discuss briefly the new prospectuses submitted for consideration by your subcommittee.

1. The prospectus for the program of small public building projects, which for convenience was put together in a single omnibus prospectus, contemplates the acquisition of sites, design and construction of 87 small buildings estimated to cost $20.8 million for use of the Post Office Department and/or other Federal agencies.

The committee may be interested to note that attached to the prospectus is a portrayal of some five or six basic designs of prototype structures which would be used to implement this program. The proposed construction which we expect to fund from appropriations to be made available under the Public Works Acceleration Act, or otherwise will be prototype in character, as I have described, for which standard types of designs, working drawings, and specifications will be available and will require a minimum of time and expense to adapt to local conditions and site characteristics.

2. The 82 individual prospectuses in our regular program provide for the construction of 74 new public buildings estimated to cost $238.8

million, 1 project for the purchase of land as sites for future public buildings in Washington estimated to cost $7.5 million, and the extension and/or conversion of 8 existing buildings at a cost of $15.3 million. Included are recommended revisions in previously approved prospectuses; namely, an increase for the Pembina, N. Dak., Border Station, and changes in the character and scope of the projects previously approved for Springfield, Mass., and Canton, Ohio.

These are developments that occurred during the design stages of the project, at which point we ceased our work and came before the committee again, as we are now, for new authorization to expand the projects.

Some of the major tenants of the new buildings and extensions and conversions include 910,000 square feet of space for the Post Office Department, 307,000 square feet for U.S. courts, 531,000 square feet for Defense, and 767,000 square feet for the Internal Revenue Service.

The rest of the space assignments run the whole gamut of Federal activities that touch the communities in which these projects will be located, 24 of the projects with an estimated cost of $60.6 million are in areas of substantial unemployment and redevelopment areas.

3. The 41 prospectuses for the repair, improvement, and alterations in existing buildings at a total estimated cost of $44.1 million include the identified work needed on roofs, structures, grounds, elevators, and the lighting, plumbing, air-conditioning, and heating systems, including the installation of new air-conditioning systems in the buildings to be accomplished over the next 5 years so as to extend the life of the buildings and provide adequate housing for Federal agencies. The estimated replacement cost of the buildings is $338 million. Except for three buildings, the repair and improvements proposed will extend the useful life of the buildings at least an additional 20 years. In the case of the three buildings, the repairs and improvements proposed are to extend the useful life an additional 10 years, at the end of which period it is expected the buildings will be replaced.

These are temporary structures now in use. Six of the projects with an estimated cost of $6 million are in areas of substantial unemployment and redevelopment areas.

This, Mr. Chairman, concludes my prepared statement with respect to the program of the General Services Administration under the Public Buildings Act of 1959 since its enactment, and the previously discussed authorizations which we are now requesting under this act. We will be pleased to answer any questions which you or members of your subcommittee may wish to ask concerning these prospectuses.

Senator YOUNG. Thank you very much, Mr. Knott, for a very effective statement. May I ask, were these buildings in the small building prospectus selected primarily because of the Post Office and General Service Administration needs for additional space, or were they selected primarily because of the need to employ people in areas where the buildings would have been constructed?

Mr. KNOTT. Mr. Chairman, by early last year we had reached the point in meeting our needs, under the Public Buildings Act, in the major cities. To assure that equitable distribution throughout the country of public building projects, more attention should be given to the needs in smaller communities.

Early in 1962, GSA and the Post Office Department conferred on ways and means of meeting some of the public building needs in

the small communities through the construction of small projects under the Public Buildings Act.

The Post Office Department, of course, has for years been proceeding on a program of lease construction and have done a wonderful job of providing for their needs in more than 9,000 small communities.

Our objective was to pick up that program principally in communities where there were activities other than the Post Office Department; where, for example, in a county seat town there are Department of Agriculture agencies, Selective Service, Internal Revenue contact office, and Old Age Survivors Assistance offices. These activities require a small amount of space but cannot be accommodated in the lease-constructed post office buildings.

We were proceeding with that program and had identified some 150 projects at the time the accelerated Public Works bill was introduced, which both Committees on Public Works considered and approved last year.

We were asked to testify as to what GSA might contribute in this program. Having identified some of the small building needs, we thought that we were in an excellent position with the developed basic designs of small structures in hand, to undertake a program to complete construction substantially within a period of 12 months. A number of the projects we had started would fit admirably in the program in the selected areas.

After the bill passed, we proceeded working with Post Office to develop or to identify the projects which would qualify within the areas that were delineated by the Commerce Department in its administration of these selected areas. By early December we had identified some 145 that would qualify under the act, and we submitted a prospectus for those projects to the committees. In the meantime, the Department of Commerce had proceeded with other programs, grants-in-aid and others, that they were ready to move with, where additional authorizations were not required. Consequently, much of the money that was then available had been obligated by the time the Congress convened in January.

Also within that time it appeared that the most we could expect would be some two-thirds of the amount we had originally proposed. So again, with the Post Office Department we reexamined the projects and cut the list back to 87 projects. I am told now that all of the appropriated funds have been used up, the $400 million, and that the Commerce Department is now appearing before the Appropriations Committees in conjunction with the pending supplemental bill asking for additional funds.

It is our hope that some of those funds will be available to us. The Department has made available $3 million for various alteration and repair projects around the country. We hope that some of these funds will be made available. In any event, we think that these are worthwhile, worthy projects, the study of which preceded the accelerated Public Works Act. We think they should be authorized regardless of the funding question, whether it be under the accelerated Publice Works Act or other appropriations, and that we ought to proceed in due time with their construction.

Senator YOUNG. I found that design interesting.

Mr. Sneed, will you secure that booklet from Mr. Knott so that the Senators who are present here may take a look at that?

Senator Jordan, have you some questions?

Senator JORDAN. Yes.

Senator YOUNG. Would you proceed, sir?

Senator JORDAN. Mr. Knott, now, I just have one question. The money, under this accelerated program, that the Commerce Department has been allocating a portion to your agency——

Mr. KNOTT. Yes, sir.

Senator JORDAN. Particularly in building post offices, have they refused to allocate any money to buy real estate to build the building on?

Mr. KNOTT. It has been their opinion that the act did not contemplate the use of any of these funds for site acquisitions.

The Bureau of the Budget, in authorizing us to come forward with this revised prospectus, was well aware of that and stated that, in any event, if the question should be resolved in favor of the position of the Department of Commerce, the Bureau would support a budget request for other funds with which to do it, where there would be no question.

Senator JORDAN. You mean funds to be appropriated?

Mr. KNOTT. Yes, sir.

Senator JORDAN. Well, I think that is very wise, Mr. Chairman, because I know of a number of places where you have post offices ready to be built, where the unemployment was high, and yet you had no money to buy the site with.

So you could not build a post office.

Mr. KNOTT. Well, as a matter of fact, Mr. Chairman, buildings have been built with appropriations made for the purpose of constructing a building, it being, I think, a fairly sound legal premise that as long as there is substantive authority to acquire property, an appropriation of funds for the construction of the building carries with it the necessary implication that those funds are available to carry out all phases of it, which would include acquisition of the site.

Now, relatively speaking, this is not a major part of the cost of these projects in any case. Many communities actually donate the site.

Senator JORDAN. What I was speaking of was the money that the Commerce Department has been allocating in this crash program, you know——

Mr. KNOTT. Yes, sir.

Senator JORDAN. And as you said, they would not use that money to buy land with. They wanted to put people to work building buildings.

Mr. KNOTT. Right.

Senator JORDAN. But, under your authority, could you buy the land and use their money to put up the building?

Mr. KNOTT. We have authority to buy land, to carry out projects that are authorized, but the Department of Commerce has the responsibility for allocating the funds and they have not been willing to allocate funds because, in their judgment, the funds should not be available for the acquisition of the site.

Senator JORDAN. But could you make it available for acquisition of the site if they put up the money for the building?

Mr. KNOTT. You mean do we have other funds to use for this purpose?

Senator JORDAN. For the acquisition of the site.

Mr. KNOTT. We do not now, but if they were to remain firm in their position, that these funds could be used only for construction and they would allocate only those funds for the improvements on the land, certainly it would be up to us then, and we certainly would seek an appropriation for this purpose.

Senator JORDAN. That is right.

Thank you, Mr. Chairman. Those are all of the questions I have.

Senator YOUNG. We are pleased to have Senator Cooper here.

Have you any questions, Senator, to ask the witness?

Senator COOPER. Not at this time, Mr. Chairman.

Senator YOUNG. Senator Nelson, have you any questions?

Senator NELSON. No, Mr. Chairman.

Senator YOUNG. Mr. Knott, what do you normally use as a valid land-cost ratio to the total cost? Will you tell us something of your ideas on that?

Mr. KNOTT. We normally seek appropriations for these projects in two separate requests. One for the site and design in the year in which the project is authorized.

This is the normal procedure for larger projects which require a year or more to design, and then a separate appropriation for construction. The site and design account normally runs about 25 percent of the project cost.

This is for the design of the building, supervision of construction, and the acquisition of the site. To the extent that in some of these projects the cost appears to be high, I think it should be pointed out that these postal facilities will serve communities with a postal population far larger than the numerical population in the town or city, because under the post office's automated operations, they do serve a larger area through the highway post offices and other techniques.

These post offices require a substantial area for trucking and maneuvering; therefore, the land area requirement is high in relation to office building site needs for example.

Senator YOUNG. Do I understand that you applied this measurement to all the buildings you have submitted here today, or are there some exceptions?

Mr. KNOTT. Well, they vary because our figures are based on a judgment for each community, but I think, in the order of magnitude, the 25 percent is a safe figure to calculate.

Senator YOUNG. The chairman is in receipt of a letter from Congressman Paul Jones of Missouri. He is a highly respected member of the House of Representatives and a personal friend of the chairman.

The chairman some years ago served four terms as Congressman at Large from Ohio and came to know Paul Jones very well.

Now, I am referring to a letter from him and also speeches that he made in the House of Representatives, and there is a reference which I will quote from his statement:

> Less than a week after I questioned the justification of many of the buildings on this list—

That is the list that you have referred to—

> I was advised that I was correct in my conclusion to the extent that the one building which was supposed to be built in a small town of less than 750 population in the 10th Missouri District, at an estimated cost of $187,200, could not be justified and therefore was being removed from the list of proposed projects.

Now, in the first instance, if that little village had only a population of 750, what was the justification at the outset for a post office building of $187,200 unless it is claimed that in that area there was an exceedingly unusually large number of patrons of that post office?

What are the facts in that particular case, if you know?

Mr. KNOTT. It is true that this town was one of the projects included. It is also true that it is one that, in our review of projects in December and January, was eliminated along with some 50 or 60 other projects. The Post Office Department has built many buildings to meet postal needs, in some 9,000 areas, some of which are no larger than this one.

Basically, Mr. Chairman, the difference I think with Mr. Jones, as I have personally talked with him about this, lies in the philosophical approach to financing these projects—whether we construct under a lease construction arrangement and pay for it through lease rentals over a period of years, or whether we do it through direct appropriations.

It was not my understanding that Mr. Jones is taking the position that he does not need a new postal facility in this community. He simply feels that for a community of this size—and he had other communities larger than that where there are postal needs—that those needs should have been met first, rather than in this community, if we were going to approach it on this basis.

Senator YOUNG. You have, however, removed that town from your list?

Mr. KNOTT. Yes, sir. That is not before the committee today.

Senator YOUNG. Have you gone over the matter very thoroughly so that you consider there are no other similar cases that perhaps the Senator from that State or the Congressman from that district has not called to your attention?

Mr. KNOTT. I feel very confident, and I hope that Mr. Bishop, the Assistant Postmaster General, who, as I understand is here, and the committee may want to talk to him about this, will comment on this also.

I have worked with him personally and I am confident that in their view that they have marshaled these projects on an orderly basis, so far as need and need alone is concerned, into about six different categories. When the final selection was made of a number of projects that would be in conformity with the reduced amount of money that would likely be available, the cutoff came simply below a certain order of priority and the projects were dropped out at that point. This is not to say that some of those would not at some time be built either by lease or direct appropriations.

Senator YOUNG. Word has come to the chairman that later on we will have another matter to be considered before us which is regarded as somewhat controversial.

That related, I believe, to a proposal for a Patent Office not in the Washington area but in Annapolis, some distance from here.

It is a very beautiful town, of course, but on this matter, while you are a witness here, it occurs to me to ask you a few questions in reference to the proposal to have this Patent Office near Annapolis, a considerable distance from the District of Columbia where so many patent lawyers maintain their offices.

And, by the way, the connection of the chairman with patent matters has been very remote, although I have been a practicing lawyer and chief criminal prosecuting attorney in my county, Cuyahoga, and I have been practicing law for many years, but the only dealings I have had with patent matters have always cost me money.

I am glad to leave patent matters to patent lawyers, but I would like to know your views.

Does it really make sense to you to have this Patent Office Building in Annapolis, and thereby require the patent attorneys, who maintain offices in the downtown Washington area, to commute that 30 or 40 miles to do their work?

Is that, in your judgment, fair to these lawyers and is it fair to inventors?

I know lawyers, if they are required to spend that extra time, they are very foolish persons if they do not make or charge adequately for their time. That is all patent lawyers have to sell.

Now, does that proposition make sense to you?

I would like to be on record now with your views instead of recalling you as a witness later.

Mr. KNOTT. Well, certainly you have gotten to the core of the problem or the dilemma that we faced in reaching this conclusion.

I think the committee is aware and, just in the off chance that they are not, I have some copies of the report of the President's ad hoc committee that spent several months last year studying the space problems here in Washington and, as a result of that, it was concluded that if we are going to face up to our responsibilities here in the Washington area with some orderly development by the year 2000, we must place a ceiling on the number of employees to be located in the National Capital region.

To carry out this objective, the President issued an Executive order in July 1962 which strengthened the hand of the Administrator of General Services in assigning space within the Government facilities that we have and those that we are building. He also charged him with the responsibility, working in coordination with the Bureau of the Budget and the heads of agencies, to reexamine, as they studied their space needs, those activities which could operate outside of the Washington metropolitan area without excessive costs or significant loss of efficiency. This has received a very fine response from many agency heads. Secretary Hodges, who is the head of the Department involved here, told the Administrator of General Services last fall that he was perfectly willing to consider all of the bureaus of his Department as, at least, susceptible to a serious study along this line.

While we are working on the Patent Office problem, the Department is also studying the feasibility of decentralizing the Coast and Geodetic Survey.

Other agency heads have also talked with the Administrator of General Services on projects of this kind.

Now, Mr. Chairman, I want to point out that this action is not intended to single out the Patent Office.

This is an agency which, in our judgment, and in the judgment of the Secretary of Commerce and the Bureau of the Budget, who has reviewed this, that can, from the standpoint of its day-to-day opera-

tions with Government, with Congress, and with others in Washington, can be located elsewhere. The dilemma arises in that, as I understand it, some 15 or 20 percent of the patent bar are located here and, understandably, this presents a real problem for them.

This accounts for the fact that in the final decision, I know that Mr. Linton is aware of the fact that as we first submitted this prospectus the location was unspecified, and we have continued our studies to find out where we might locate it suitably, and because of the fact that we are mindful of the needs of the Patent bar and the educational opportunities that are afforded the patent examiners in this area by the law schools here, we thought that if we could locate this within commuting distance, and yet outside the metropolitan area of Washington, that we would accomplish the objective.

Now, we believe that this can be done.

Another vital agency of Government has operated successfully in Baltimore, and their facilities have been enlarged, and they have operated successfully there and have been since 1940. That is the Social Security Agency of the Department of Health, Education, and Welfare.

So that we think this brings it——

Senator YOUNG. Of course, there is not such a similarity though. The Social Security Agency, practically all of their work is done by mail——

Mr. KNOTT. This is true.

Senator YOUNG (continuing). And by letters from all over the country.

But here you are defending moving to a distance of some 40 miles one of the oldest offices established in our Government.

The Patent Office has been here longer than almost any other agency——

Mr. KNOTT. This is true.

Senator YOUNG (continuing). And not only are you contemplating moving it, but moving it at a considerable distance, not over across the river to Virginia where the CIA has so many officials that they are writing communications back to each other, and they need a traffic cop to guide them around, they are so overloaded with top officials, and sometimes—or, I should not say it—but sometimes their judgment does not seem to justify the vast numbers of people in that super spy agency.

But I wanted your views on this because I know many of us will take a dim view on the expense of moving that agency and the inconvenience and the extra cost it is going to cause attorneys, patent attorneys, who have concentrated their activities here in the Washington area.

May I assure you, however, that the report of the President will be read by, and considered by, every member of this subcommittee.

(The criteria established in the report are as follows:)

DECENTRALIZATION

A function is presumed to be susceptible to decentralization when:

1. It is engaged in operations to carry out established policies and programs within well-defined areas, such as administration of research and development contracts, and industrial and commercial activities, and requires only limited headquarters supervision.

2. It provides large-scale supporting services of a relatively repetitive or routine nature, such as (1) records maintenance; (2) procurement and inventory control; (3) training, including the operation of schools; (4) public works and maintenance, including administration of real property and related engineering services; (5) financial accounting and disbursing activities; and (6) statistics and data collection and related fact-gathering and processing operations.

3. It operates in a relatively self-sufficient manner having only limited intra-agency or interagency day-to-day working relationships.

4. It requires close coordination with other governmental (Federal, State, and local) and nongovernmental activities within a given geographical area.

5. It requires close coordination or working relationships with other Federal activities which are also susceptible to decentralization and could be moved to a common location outside of the National Capital area.

6. Small liaison offices in Washington could meet headquarters needs.

7. It consists of administration of functions in a particular region or other limited geographical area.

8. It is a direct service or other governmental function affecting citizen-clients in local areas of the country which can be administered in accordance with uniform national policies.

9. Other locations have available office space, and other necessary special facilities, housing for employees and required community facilities without overburdening the jurisdictions affected.

10. Administrative economies (e.g., travel, communications, rental, recruiting) and efficiencies (e.g., speed of decisionmaking and service to the public, free headquarters staff for higher priority functions) can be achieved and costs of relocation are not unreasonable.

CENTRALIZATION

A function is not susceptible to decentralization when:

1. It is directed to meeting the needs of the President, the Congress, and agency heads for consultation, direction, and fixing of responsibility for governmental action.

2. It is concerned with establishing major national policies, developing broad principles and programs of national application.

3. It is of a regulatory or adjudicatory nature requiring uniformity of policy in ultimately dispensing rights or penalties.

4. It requires close coordination, working relationships or communication with (a) other headquarters activities of the agency; (b) other headquarters agencies responsible for programs which could affect the activity; (c) the Congress; or (d) nongovernmental organizations.

5. It is concerned with exercising general supervision over agency operations throughout the country and assuring that these operations are in accord with general national policies.

6. It needs to be protected from undue influence or excessive accommodation at the local level to interest group pressures.

7. The costs of decentralization would clearly be excessive or prohibitive, including replacement of specialized physical facilities, and operating costs, including recruitment, training, relocation, travel, communications, and disruption of current operations.

8. Workload would not justify development of specialized staffs on a decentralized basis.

Mr. KNOTT. Thank you, sir.

Senator YOUNG. Now, are there any other questions?

Any questions of this witness?

Have you finished your statement?

Mr. KNOTT. Yes, sir, Mr. Chairman.

Senator YOUNG. Before I proceed with your associates here, and we will be happy to hear from Mr. Schmidt and Mr. Davis, the chairman is informed that Congressman Lankford has just entered the room. Is Congressman Lankford here?

Mr. LANKFORD. Yes, sir.

Senator YOUNG. Will you step forward, please?

STATEMENT OF HON. RICHARD E. LANKFORD, A REPRESENTATIVE IN CONGRESS FROM THE FIFTH CONGRESSIONAL DISTRICT OF THE STATE OF MARYLAND

Senator YOUNG. The Chair served in the House of Representatives years ago, and we are members of the same club, you might say, and I know Congressman Lankford's constituency is so close to Washington that he must be exceedingly busy.

So we are taking you out of order, sir, and the committee, with the consent of the members of the subcommittee, will be glad to hear your statement.

Mr. LANKFORD. Thank you very much, Mr. Chairman.

I do not have a prepared statement. I am here for one purpose only, and that is to urge the approval of the construction of a Patent Office Building in the Anne Arundel-Howard Counties-Baltimore-Annapolis area.

We feel that this area would lend itself very well to the sort of activities that would be carried on in the new building.

The environment is one which would be conducive to good work in the Patent Office. It would be, I believe, good for the morale of the Patent Office employees because of the benefits that are available to them in this area.

I might say that the people of the Annapolis area are most interested in this and would welcome it with arms.

I have before me letters from the county commissioner of Anne Arundel County, the chamber of commerce, the mayor of Annapolis, and various civic organizations, and just this morning I got a letter from the Anne Arundel County Board of Trade, urging that I do all in my power to see that the Patent Office Building is brought to that area.

And so that is why I am here.

Senator YOUNG. Does that complete your statement?

Mr. LANKFORD. Yes, Mr. Chairman.

I trust that you will give this your most serious consideration.

Senator YOUNG. Congressman Lankford, we thank you for appearing here to give us the benefit of your views and advice on this pending legislation.

And the Chair embodies, in the record of these proceedings, a letter from our colleague, Senator Daniel B. Brewster, who cannot be here today as he is on official business as a delegate of the United States to the United States-Mexico Interparliamentary Group, and is in the Republic of Mexico at the present time.

Mr. LANKFORD. Mr. Chairman, I was aware that such a letter was to be written, and I might say that Senator Brewster and I have been consulted or we have consulted on this matter, and we are in full accord.

We both feel the same way about it, and I know roughly the contents of the letter and I subscribe to it wholeheartedly.

Senator YOUNG. That will be made a part of the record.

(The letters of Senator Brewster and others are as follows:)

U.S. SENATE,
COMMITTEE ON PUBLIC WORKS,
March 19, 1963.

Hon. STEPHEN M. YOUNG,
Chairman, Subcommittee on Public Buildings and Grounds, Public Works Committee, U.S. Senate, Washington, D.C.

MY DEAR MR. CHAIRMAN: I had hoped to appear before your subcommittee in person to testify on the matter of the location of the proposed new U.S. Patent Office.

Unfortunately, I am away from Washington on official business as a delegate of the United States-Mexico Interparliamentary Group, and I must, therefore, use this means of expressing my deep personal interest in the location of this proposed new facility.

I understand that my colleague in the Maryland delegation, Congressman Richard E. Lankford, will appear before your subcommittee to personally urge that this new Office be located in the State of Maryland, and, specifically, in the vicinity of Annapolis in Anne Arundel County.

I am informed that prospective sites in the Annapolis area have been inspected by officials of the Department of Commerce, and that two or three suitable sites have been offered to the Federal Government free of charge for this relocation.

I have also been contacted by the Honorable J. Millard Tawes, Governor of Maryland, officials of the Maryland Economic Development Commission, the county commissioners of Anne Arundel County, the Annapolis Chamber of Commerce, and various other civic groups. All of these individuals and groups have expressed a desire to have this new building located in our State, and have assured me that they will cooperate in every respect in providing whatever public facilities may be required to further this project.

It is abundantly clear that the Patent Office must be relocated within a reasonable proximity to the District of Columbia. In all candor, I must admit that my interest is at least partly parochial, as I am sure the members of your subcommittee will readily understand. I am, however, honestly convinced that the relocation of the Patent Office in this general area would serve the interests of the agency, its employees, members of the patent bar, and the public.

I am certain that the witnesses who appear before your subcommittee will testify in detail regarding the advisability and the necessity of relocating the Patent Office, as well as the suitability, feasibility, and practicality, of its being located in nearby Maryland.

I respectfully urge your subcommittee's favorable consideration of the relocation of this vitally important Government agency in the State of Maryland, and I would deeply appreciate it if you would make this letter a part of the record of your hearings.

Sincerely yours,

DANIEL B. BREWSTER, *U.S. Senator.*

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., March 20, 1963.

Hon. STEPHEN M. YOUNG,
Chairman, Public Buildings and Grounds Subcommittee,
Senate Public Works Committee,
New Senate Office Building.

DEAR MR. CHAIRMAN: I want to thank you for the opportunity to appear before your subcommittee to testify with regard to the proposal that the Patent Office be relocated in Maryland. I want to take this opportunity to reiterate my strong feeling that the Anne Arundel-Howard County area would be exceptionally appropriate for the Patent Office and that it will be well served by any community which it might choose.

I would like, also, to submit for the record several of the letters to which I referred in my testimony this morning from local officials and civic groups expressing their interest in having the Patent Office relocate in their area. I, therefore, am enclosing a copy of a letter from the Honorable Joseph F. Collinson, Jr., president of the Anne Arundel County Board of County Commissions, along with a resolution adopted by the commissioners; a copy of a letter from Mrs. Avlyn

Cohley, secretary of the Odenton Chamber of Commerce; a copy of a letter from the Honorable Joseph H. Griscom, Sr., mayor of Annapolis; and a copy of a letter from Murray F. Davis, president of the Civitan Club of Annapolis, along with a resolution adopted by the club. One further letter is from the Anne Arundel County Trade Council, Inc.

Thank you again for the opportunity to appear before your committee. I appreciate it very much.

Kindest regards.

Sincerely yours,

RICHARD E. LANKFORD, *Member of Congress.*

ODENTON CHAMBER OF COMMERCE, INC.,
Odenton, Md., March 5, 1963.

Hon. RICHARD E. LANKFORD,
House of Representatives,
Washington, D.C.

DEAR SIR: Your help is again being solicited by our organization. We understand the Patent Office may be moved from Washington and that Anne Arundel County, Md., is one of the potential sites considered for this move.

We feel this county would be an ideal location from the standpoint of its proximity to Washington and by being so easily accessible, the Patent Office would no doubt retain more of their trained and valuable employees.

In the Fourth Election District of Anne Arundel County the U.S. Navy has property, with sewerage, that is currently being used as a dairy farm. As it was pointed out recently in the news, the cost to operate this farm, to produce milk for the Academy, is prohibitive. We would like to suggest this possible location for economic reasons.

Your help to promote Anne Arundel County for this project is earnestly asked and your suggestions in what we may do as an organization or as individuals would be welcomed.

May we take this opportunity to thank you for your interest and assistance in Friendship Airport.

Very truly yours,

(Mrs.) AVLYN COHLEY, *Secretary.*

OFFICE OF THE MAYOR,
Annapolis, Md., March 13, 1963.

Hon. RICHARD E. LANKFORD,
Congress of the United States,
House of Representatives, Washington, D.C.

DEAR CONGRESSMAN LANKFORD: I would like to advise you that the mayor and city council at their regular monthly meeting held Monday night, March 11, have gone on record as being in favor of the encouragement of the relocation of the U.S. Patent Office in the Annapolis area.

We would certainly appreciate anything that you can do for us to have this most important office located here.

If there is anything further that we can do, please do not hesitate to call upon us.

With kind personal regards, I remain,

Sincerely,

JOSEPH H. GRISCOM, Sr., *Mayor.*

CIVITAN CLUB,
Annapolis, Md., March 15, 1963.

Hon. RICHARD E. LANKFORD,
Representative in Congress,
House of Representatives Building,
Washington, D.C.

MY DEAR MR. LANKFORD: Attached is a copy of a resolution, unanimously adopted by the Civitan Club of Annapolis on March 13, 1963, suggesting that every possible consideration be given to locating the proposed new U.S. Patent Office building near Annapolis.

The original draft of this resolution has been sent to the Secretary of Commerce, Mr. Luther H. Hodges.

This letter is to inform you of our resolution and our appreciation of the efforts you are making to secure establishment of the Patent Office in this area.

We know you recognize the many advantages that would ensue for the personnel of the Patent Office in being located so near Washington and in this exceptionally attractive community. Certainly a warm and appreciative welcome would be extended from all of the residents of Ann Arundel County.

Sincerely yours,

MURRAY F. DAVIS, *President.*

A RESOLUTION

Whereas the Civitan Club of Annapolis is an organization of business and professional men of the Greater Annapolis area dedicated to, and striving for, the improvement of the civic and business interests of the community and the advancement of economic conditions therein; and

Whereas the members of the Civitan Club of Annapolis note with pride the initiative of the Annapolis Chamber of Commerce in seeking to attain the establishment of the U.S. Patent Office in the Annapolis area; and

Whereas the members of the Civitan Club of Annapolis approbate the civic interest and public spirit exemplified by Messrs. Walter L. Green and Marcus C. Gibson in offering the U.S. Government the gift of a nearby tract of 50 acres; and

Whereas the members of the Civitan Club of Annapolis are convinced that the establishment of the U.S. Patent Office in or adjacent to the city of Annapolis would stimulate the economy and the growth of our community; and

Whereas the members of the Civitan Club of Annapolis do fully consider that our community is an ideal location for this agency and will provide to its employees a most pleasant area in which to live: Now, therefore, be it

Resolved by the Civitan Club of Annapolis, That 1. Its members wholeheartedly commend and endorse the actions thus far made and taken toward the relocation of the U.S. Patent Office in the Greater Annapolis area;

2. Its members do hereby pledge themselves to join and to lend active support to the unified action to attain the establishment of this agency in or adjacent to the city of Annapolis.

Duly approved this 13th day of March 1963 and certified by the officers of the Civitan Club of Annapolis at Annapolis, Md.

RICHARD F. BLAUL, *Secretary.*
MURRAY F. DAVIS, *President.*

ANNE ARUNDEL COUNTY TRADE COUNCIL, INC.,
Annapolis, Md., March 19, 1963.

Hon. RICHARD E. LANKFORD,
New House of Representatives Building,
Washington, D.C.

DEAR DICK: At our meeting of March 11, 1963, the following resolution was passed:

"*Resolved,* That the Directors of the Anne Arundel County Trade Council approve the location of the new Patent Office Building in the area known as South Haven, Anne Arundel County, and that you be informed of their action."

I am confident that we can count on your support. Similar letters are being forwarded to Senator Glenn Beall and to Senator Daniel Brewster.

Sincerely,

J. PIERRE BERNARD, *President.*

COUNTY COMMISSIONERS FOR ANNE ARUNDEL COUNTY,
Annapolis, Md., February 27, 1963.

Hon. RICHARD E. LANKFORD,
New House Office Building,
Washington, D.C.

DEAR DICK: The Board of County Commissioners unanimously passed the enclosed resolution the other evening.

Among the Maryland congressmen we are counting on you to lead the fight to bring this new Patent Office Building to Anne Arundel County.

It would be impertinent for me to offer any suggestions to you as how this can best be done.

I feel sure, Dick, that all of the citizens of Anne Arundel County would be particularly grateful to you if you could bring this building to your home county.

Cordially,

JOSEPH F. COLLINSON, Jr.,
President, Board of County Commissioners, Anne Arundel County.

COUNTY OF ANNE ARUNDEL

Annapolis, Md.

COUNTY COMMISSIONERS' RESOLUTION No. 63–21 IN RE: U.S. GOVERNMENT NEW PATENT OFFICE BUILDING

Whereas the U.S. Government is seeking a location for a New Patent Office Building involving the expenditure of an estimated $49 million for construction, and

Whereas both Houses of the U.S. Congress in the Public Works Committee are currently considering such a location for said new Patent Office Building: Now, therefore, be it

Resolved, That the County Commissioners of Anne Arundel County meeting in Annapolis, Md., this 21st day of February 1963, expend every cooperative effort to see that the proposed New Patent Office Building is located in Anne Arundel County for the following reasons:

1. Anne Arundel County is strategically located midway between Baltimore and Washington. This area will ultimately be the metropolitan center of the United States with Anne Arundel County connecting both cities.
2. Anne Arundel County has available desirable property at reasonable cost ideally suited for the construction of the New Patent Office Building.
3. Anne Arundel County has a reservoir of highly skilled and technically trained personnel to supply the necessary labor needs.
4. The air, rail, water, and superhighway transportation in Anne Arundel County are the envy of the Eastern United States.
5. By a generous act of the Almighty, the superb creation of water and land make Anne Arundel County the most desirable in America in which to work, to live, and to play.
6. The entire staff of every department in the Anne Arundel County government will do everything in its power to aid and assist Federal officials in locating and erecting the New Patent Office Building in Anne Arundel County.

JOSEPH F. COLLINSON, Jr.,
President, Board of County Commissioners.

Senator YOUNG. Are there any questions?

Have you any questions, Senator Cooper?

Senator COOPER. No, I have not.

Senator YOUNG. Have you any questions?

There are no questions and thank you very much.

Mr. LANKFORD. Thank you very much.

Senator YOUNG. Now, does Mr. Schmidt desire to offer any additional testimony, or Mr. Davis?

Mr. KNOTT. No, there is no further testimony, Mr. Chairman.

Senator YOUNG. Mr. Bishop will step forward.

He is the next witness unless Mr. Schmidt or Mr. Davis desire to offer any additional testimony.

STATEMENT OF SIDNEY W. BISHOP, ASSISTANT POSTMASTER GENERAL, BUREAU OF FACILITIES

Senator YOUNG. You are Sidney W. Bishop, Assistant Postmaster General of the United States?

Mr. BISHOP. That is correct, Mr. Chairman.

Senator YOUNG. The subcommittee is prepared to hear your testimony.

Mr. BISHOP. I have no prepared statement with me, Mr. Chairman, but of course, I will be very pleased to answer any questions that the chairman and the members of the subcommittee may have.

Senator YOUNG. Yes, well, you heard the testimony that has been given.

Have you anything to add to that?

Mr. BISHOP. No. Basically, I do not, Mr. Chairman.

As Mr. Knott testified, the omnibus prospectus, containing projects involving postal space, which were proposed for financing under the accelerated public works funds, were screened by us basically where postal spaces were involved, to reduce the projects to communities of

The cases are all based on space surveys made by qualified postal population of at least 2,000.

Postal receipts were considered and the fitting of the postal space requirements into the standard prototype sized buildings were considered.

Mr. Knott referred to the considerations used in that screening.

I believe that there are one or two cases that did not meet all of the criteria of that screening. One is a county seat town in West Virginia, where the total postal population is not 2,000, but the postal space needs were substantial and significant, and we deemed it qualified for exclusion from the prospectus from a purely postal standpoint.

I believe also there was one community that did not meet the 1,000 city population size, in Warm Springs, Ga., which is the head of the Warm Springs Foundation, and has considerably higher postal receipts than would normally be expected in that size community.

Those, as I recall, were the only exceptions.

Senator YOUNG. Well, when you state that all of those projects were screened by you, about how many were screened altogether, as you recall?

Mr. BISHOP. If I recall correctly, the initial number involving postal space was 142.

The remaining projects, involving postal space, it is my recollection, is 82.

Senator YOUNG. And by each one of them "by screening" I take it you mean each one was carefully considered?

Mr. BISHOP. Yes, that is correct, Mr. Chairman.

Senator YOUNG. And you have referred to two or three being eliminated.

How many in all were eliminated?

Mr. BISHOP. Approximately 60 were eliminated, Mr. Chairman.

Senator JORDAN. Did he say 60?

Mr. BISHOP. Sixty.

Senator YOUNG. And about how long a period of time did you give, if you recall, to this, and I mean that you personally gave to this screening?

Mr. BISHOP. Personally?

Senator YOUNG. Yes.

Mr. BISHOP. A number of hours. It is difficult to recollect quickly how many hours but certainly a number of hours.

Whether it would have exceeded one 8- or 10-hour day, I do not want to say, certainly, without refreshing my recollection as to the number of conferences and the number of individual examinations that I made.

Senator YOUNG. Now, what is your opinion, from the standpoint of efficiency in the operation of the Post Office Department. Do you really need all of these buildings that you left remaining in this small buildings prospectus?

Mr. BISHOP. Well, Mr. Chairman, let me respond in this fashion to that, that inadequate buildings as to size, and dilapidated buildings as to the quality of space provided, is a detriment to the postal service, and in every one of these cases a minimum of at least approximately 35 percent additional space is needed, and in most cases more than 50 percent additional interior space, and in many, many of the cases, more than 100 percent additional postal working space was necessary.

The cases are all based on space surveys made by qualified postal personnel.

And it is desirable, from the postal standpoint, that proper, adequate in size, well lighted, well ventilated, interior space, with adequate platforms for the loading and unloading, and adequate exterior space for the parking and maneuvering of the trucks and vehicles, is the desirable thing for the postal service.

Senator YOUNG. Well, among these buildings selected, under the projects selected for prosecution under the accelerated public works program, were some selected in your judgment which you might never otherwise justify constructing in the first instance?

Mr. BISHOP. I would say "might" never. Considering your question with the term——

Senator YOUNG. Well, I will put it this way:

Would probably never have been justified for construction in the first instance?

Mr. BISHOP. My answer would be "No." Basically, many of these projects are of the kind that we would be proceeding with were it not for this program to acquire new lease facilities for postal space only, not involving other Government agency space.

There are some that perhaps would have to wait 2 or 3 or 4 years before they would be included in the lease construction program. But in every case I am confident that improved quarters would have to be provided either presently or in the fairly near future.

Senator YOUNG. Do you have any questions, Senator Jordan?

Senator JORDAN. No.

Senator YOUNG. Senator Cooper, have you any questions?

Senator COOPER. No.

Senator YOUNG. Have you any questions?

Senator JORDAN. I might ask one question, Mr. Chairman, if I may.

Senator YOUNG. Yes, go ahead.

Senator JORDAN. Where is your cutoff period place now in dollars as to where you build on a lease basis as against construction by appropriated money?

Mr. BISHOP. There is no cut off dollar place that delineates whether a lease construction approach would be used to a particular postal need, as compared to Government construction of the building.

Basically, our policy is that where GSA has needs for space for other Government agencies in the community, and can also provide the needed postal space, all factors considered, we are quite willing to cooperate with GSA in having them provide a Government-owned building.

If the Post Office Department is proceeding to provide its own space requirements only, it will proceed on a lease construction basis.

Senator YOUNG. Have you any further questions?

Senator JORDAN. Thank you.

Senator YOUNG. Thank you very much.

Senator COOPER. May I ask just one question?

Senator YOUNG. Yes, certainly.

Senator COOPER. Mr. Chairman, I am not a member of the subcommittee——

Senator YOUNG. No, but we are happy to have you here.

Senator COOPER. I think I noted in the statement of Mr. Knott that it is expected that some of these projects will be funded by appropriations made under the Emergency Public Works Acceleration Act.

Is that correct?

Mr. BISHOP. That was my understanding, yes, sir.

Senator COOPER. Has that proposition been approved by the administration that these projects, which are normally projects of the Post Office Department and other agencies, shall be funded by the appropriations under the Emergency Public Works Act?

Mr. BISHOP. I should expand my answer, Senator.

All of the projects, as I recall, that were prepared for inclusion in the omnibus prospectus, that involved postal space, were located in areas that were eligible for participation under the Public Works Acceleration Act.

Now, as I understand it from Mr. Knott's testimony, and that is the source of my knowledge, with regard to any approval as to funding, the Department of Commerce has not yet made a determination finally as to whether or not any of these projects will be funded by any money which might be available under the Accelerated Public Works Act.

As I understood Mr. Knott, he indicated that the Department of Commerce's position has been that land acquisition was not acceptable to the Department of Commerce with funding under the Accelerated Public Works Act at the present time, but I believe Mr. Knott testified that the Bureau of the Budget had informed him that if the funds were not to be made available under the Accelerated Public Works Act, that they would support an effort to obtain other funds for funding the project from other appropriations.

Senator COOPER. The determination has not been made by the Bureau of the Budget yet?

Mr. BISHOP. Not to my knowledge.

Senator COOPER. I must say that I am pleased that those buildings which are actually necessary for construction are located in some of these areas, but I would point out that when this matter was considered by the Subcommittee on Appropriations for the accelerated public works program, that many members of the committee expressed doubts about financing regular programs of the agency through emergency funds provided under the emergency public works program.

They did not make a decision on it, but I know they expressed opposition to that idea.

Senator YOUNG. Thank you.

Mr. BISHOP. Thank you, Mr. Chairman, and members of the committee.

Senator YOUNG. Mr. Southwick, Mr. Paul Southwick.

STATEMENT OF PAUL SOUTHWICK, DEPUTY ADMINISTRATOR FOR ACCELERATED PUBLIC WORKS, AREA REDEVELOPMENT ADMINISTRATION, DEPARTMENT OF COMMERCE, ACCOMPANIED BY BERNARD V. PARRETTE, ASSISTANT TO THE CHIEF COUNSEL, AREA REDEVELOPMENT ADMINISTRATION, DEPARTMENT OF COMMERCE

Senator YOUNG. Mr. Southwick, you are Deputy Administrator for the Accelerated Public Works, Area Redevelopment Administration, Department of Commerce?

Mr. SOUTHWICK. Yes, sir.

Senator YOUNG. Are you accompanied by anyone here?

Mr. SOUTHWICK. I have Mr. Bernard Parrette, of the Office of the Chief Counsel of ARA.

Senator YOUNG. He may be seated with you, if you like.

You may proceed.

Mr. SOUTHWICK. Mr. Chairman, we appreciate the opportunity to be of service to the Subcommittee on Public Buildings and Grounds and welcome any questions which the subcommittee may have in connection with the accelerated public works program. As you know, the President, by Executive order, has delegated to the Secretary of Commerce the responsibility for recommending to the President how the funds for this program are to be allocated among the various participating agencies throughout the Federal Government, and the responsibility for coordinating those programs after the allocations are made. Public Law 87–658, which the President signed on September 14, 1962, authorized $900 million in appropriations, both for direct Federal projects and grants-in-aid to States and municipalities in eligible areas defined by the act.

There are about 1,200 areas throughout the United States and its territories.

The Congress appropriated $400 million last October to initiate the accelerated public works program. The House Appropriations Committee is now considering the President's request for the remaining $500 million.

At this point, we find that the initial $400 million is virtually exhausted, with three-quarters of that amount having gone into matching grants for local projects through the Community Facilities Administration and the Department of Health, Education, and Welfare. The remainder has gone to direct Federal projects such as those of the Forest Service, Park Service, and Corps of Engineers. We find at this time that applications from needy communities in eligible areas for grants through the CFA and HEW programs total more than $1 billion, more than could be financed under the current appropriation.

Actually, it is more than could be financed under the entire Supplemental Appropriation Act.

Other direct Federal projects, which would qualify, total several hundred million dollars in addition. We therefore have a vast number of apparently approvable projects, in eligible areas, meeting the requirements of the act, ready and waiting for funding with whatever additional appropriations the Congress sees fit to approve in response

to the President's request for the $500 million supplemental appropriation.

The projects in the GSA prospectus pending before this subcommittee, would, if approved by the subcommittee and the full committee, be considered for financing under Accelerated Public Works. But it must be borne in mind that these projects would, in effect, be competing with the many other projects already under consideration. These include more than $700 million in grant applications from communities willing to put up 50 percent of their own money for sewer and water projects, hospitals, waste treatment plants, courthouses and libraries, among other urgently needed local public works projects—in a relatively few cases, in those areas suffering most from unemployment, underemployment or low average income, the local share may be 25 percent—as permitted under the Accelerated Public Works Act.

In every case, as required by the act, the local share must be a net increase in planned local expenditures for public works.

The GSA projects would also be considered along with the many other direct Federal projects already submitted to us by other Federal agencies and under consideration for recommendation to the President. They include, among others, Forest Service and Park Service work, which we have found puts locally unemployed quickly to work on useful needed projects; Corps of Engineers projects and Bureau of Prisons construction—all of which can be started quickly and most of which involve a large ratio of labor per dollar invested.

We would, of course, respect the desire of the House and Senate Public Works Committees if the committees authorized the GSA projects and expressed the opinion that they should be financed by APW funds. We in the Commerce Department have felt, however, that the use of APW funds for land-acquisition cost involved in the GSA projects would not be fully in keeping with the provision of the act which states that funds are to be used only for projects which will "contribute significantly to the reduction of local unemployment" particularly when there are other, in fact more than enough, qualified projects which do not involve expenditures of APW funds for land acquisition. Land acquisition costs are not involved in matching grants, either in the local share or the Federal share, under the CFA program or under the hospital and waste treatment programs of HEW—with the sole exception of health centers, because of a specific exception in the Hill-Burton Act which permits land acquisition in that particular instance. So far only $45,000 in APW funds has been involved because of that exception in the Hill-Burton Act. Direct projects—Public Roads, Park Service projects, Corps of Engineers, Bureau of Prisons, and so forth, have not involved the financing of land acquisition with APW funds.

The Bureau of the Budget has forwarded the GSA prospectus to Congress with no commitment as to the method or time of actual financing. As far as APW funds are concerned, the President's request for the $500 million supplemental is before the House Appropriations Committee. It still must proceed through the House, the Senate Appropriations Committee and the Senate itself. The appropriations are made directly to the President. He makes the actual allocations, upon recommendation of the Secretary of Commerce, to the departments and agencies which carry out the actual

projects. If the committee, on behalf of the Congress, authorizes the GSA prospectus, the actual method of financing, whether in part or in whole by APW funds or through regular GSA appropriations, or some combination of both, would be determined after the APW supplemental appropriation was available and in light of other competing demands and requirements in eligible areas.

This concludes my prepared statement, Mr. Chairman.

Senator YOUNG. Thank you very much.

Senator Jordan, do you have any questions?

Senator JORDAN. Mr. Chairman, I do have a question I would like to ask.

In the case of your funds in this case of the accelerated public works funds, where a local community is participating on this grant of any percentage, 25, 50, or whatever it might be, you say that you cannot participate in that if they have funds to acquire a site?

Mr. SOUTHWICK. No, sir. Land acquisition cannot be figured in either the local share or the Federal share in the grant-in-aid programs of CFA and of HEW, except that one case involving health centers.

Senator JORDAN. That is what I thought you meant.

In other words, if local people, with their money, want to buy a site for a post office, for instance, and under your grant you can allocate money to build a post office, but neither one of the funds can be used to acquire the site.

Is that correct?

Mr. SOUTHWICK. I am not sure I understand the question, Senator. Through the Community Facilities Administration, of course, post offices are not involved.

I am just using this as an example of how we are using our money and how we feel that this is more productive in terms of the act, contributing to the reduction of local unemployment.

In other words, land acquisition, we feel, does not put men to work.

Senator JORDAN. None of the local funds, used for matching your grant, can be used for acquisition purposes?

Mr. SOUTHWICK. Not under the Community Facilities program, no, sir.

Senator JORDAN. That is what I wanted to know.

Mr. SOUTHWICK. In other words, all of the matching money involved in the Community Facilities Administration program, whether it is local or Federal, is figured in the project cost and does not include land acquisition.

Senator JORDAN. That is all.

Senator YOUNG. Senator Cooper, have you any question?

Senator COOPER. Yes.

Mr. Southwick, I think the statement you made goes to the point which I addressed to the witness who testified just before you.

I think it is correct that the emergency public assistance program contemplates that funds made available by the Congress, which last year amounted to $400 million, will be supplemented by funds made available by the communities' assistance wherever possible.

Mr. SOUTHWICK. Yes, sir. The conference report of the appropriations committees stated that local matching projects should be emphasized in the allocation of our funds, and about three-quarters of our program now, which is going to that.

Senator COOPER. Adhering to that purpose, the funds which are made available by the Congress, of course, are increased by the amounts which the local communities make available?

Mr. SOUTHWICK. Yes, sir, we are getting 2 for 1.

Senator COOPER. To give you an example, in the case of construction of sewage facilities, water facilities, courthouses, even local public buildings and facilities, generally the community either by the issuance of bonds or other methods, bears its part of the cost of the program?

Mr. SOUTHWICK. Yes, sir.

Senator COOPER. Then I take it that to finance the regular program of a Government agency, such as the program submitted by the GSA today for the small public buildings, would not achieve the purposes outlined in the reports of the Appropriations Committee and the Public Works Committee last year. To a degree it would not.

But, to a degree it would, but it would not achieve the full expenditure of funds that you would have everywhere the local community contributed to the Federal funds?

Mr. SOUTHWICK. Well, we feel that certainly the grant-in-aid programs are highly effective under the act.

We are, however, under instructions of the Congress, and we feel it was the intent of the Congress, that some direct Federal projects be included as well.

This is why a quarter of the program is going into such things as——

Senator COOPER. Well, but another purpose of the act was to enable communities to provide facilities which it otherwise could not have——

Mr. SOUTHWICK. Yes, indeed.

Senator COOPER (continuing). That it could not, under existing law, meet the requirements, say, of a sewage system or a water system, but it could do so under the Emergency Public Works Act.

Mr. SOUTHWICK. That is correct. These are projects that would not otherwise be built at this time.

Senator COOPER. That is the reason I raised this question. I recognize that there is some regular program under Federal Government to provide work quickly and, therefore, your agency could approve some of those projects.

But on the Committee on Appropriations, and not just Public Works, I know it is clear that the purpose of the Emergency Public Works Act was to secure the largest expenditure of funds by local communities and also to provide facilities, local facilities, that are not under Federal Government programs and which could quickly be developed.

That is the reason I raised the question about the use of that fund for construction of post offices and buildings like that.

Senator YOUNG. Senator Bayh, do you have any questions?

Senator BAYH. One, if I might, Mr. Chairman.

It is my understanding, from the last paragraph there and according to Senator Cooper's discussion with you, that if these funds are received or must go to the accelerated public works program to finance these, that they will be thrown in the hat, so to speak, and will be considered in line with the other requirements, with the sewage projects, and the other ones that were mentioned, so that——

Mr. SOUTHWICK. Yes.

Senator BAYH (continuing). So that the priority would be lumped in with everything else. Is that——

Mr. SOUTHWICK. That is essentially correct. Yes, sir. Primarily, they would be competing with other Federal projects.

It is our proposal to the appropriations committees that we be permitted to allocate about 80 percent of the supplemental appropriation for the matching type of program that Senator Cooper was talking about, and the other 20 percent would be for direct Federal projects.

Senator YOUNG. Have you any other questions?

Senator Nelson, have you any questions?

Thank you very much for your statement.

The Chair announces that Senator Glenn Beall of Maryland is necessarily absent this morning on official business. He requests permission, which is granted, of course, to file a statement for the record, recommending, the Chair suspects, that the U.S. Patent Office proposal be adopted, and that the Patent Office be located in Annapolis. His statement will be inserted in the record at this point.

(The prepared statement of Senator Beall of Maryland is as follows:)

U.S. SENATE,
COMMITTEE ON COMMERCE,
March 20, 1963.

Hon. STEPHEN M. YOUNG,
Chairman, Subcommittee on Public Buildings and Grounds,
Senate Public Works Committee,
Washington, D.C.

DEAR MR. CHAIRMAN: I regret that a previous commitment made it impossible for me to appear personally before your subcommittee this morning with respect to the relocation of the Patent Office. I am taking this opportunity to express my views on this matter and respectfully request that this letter be made a part of the record.

I am thoroughly convinced that the need for a new Patent Office Building is acute and demands immediate action by Congress. I fully endorse the views of Commissioner David L. Ladd in this regard and hope that your subcommittee will give swift approval to the request for a new building.

A second question before your subcommittee relates to the location of the new building. It is my sincere hope that the subcommittee will look favorably upon a location in Anne Arundel County, Md. In choosing a site I know you will want to give special consideration to the accessibility of the new building both to employees and members of the patent bar. Anne Arundel County may be reached by means of two modern highways which will permit employees to avoid the traffic jams prevalent in the District of Columbia. Although traveling distance may be increased, the actual time of commuting, in many cases, will be reduced.

In selecting a site for the Patent Office your committee has an opportunity to make a unique contribution to the solution of the transportation problems of the District of Columbia. As more and more Federal buildings are located in or near the center of the city, transportation problems will increase. We are already faced with the need for a complex mass transportation system in the District of Columbia and its environs. We should avoid locating additional Federal buildings in the immediate metropolitan area, which will aggravate this need. Your subcommittee, by selecting a location such as Anne Arundel County, will help to relieve a portion of this problem. Adoption of a similar policy with respect to other new Federal buildings should also be seriously considered by your committee.

In addition to providing easy access from the District of Columbia, Anne Arundel County is convenient to members of the patent bar who travel from other States. Friendship International Airport is located in the county and is but a short drive from Annapolis.

Of no small importance is the eagerness of the county to welcome a new Patent Office Building. The county commissioners of Anne Arundel County, the mayor of Annapolis, and the chamber of commerce are prepared to cooperate fully in the relocation of the Patent Office.

I urge your committee to give favorable consideration to locating the new Patent Office in Anne Arundel County.

With all good wishes, I am.

Sincerely yours,

J. GLENN BEALL.

Senator YOUNG. The Chair also announces that due to the necessary absence on official business of two or three members of this subcommittee that this subcommittee will not go into executive session immediately after this public hearing, but the members necessarily absent, those Senators necessarily absent, will be fully informed of the proceedings here. Then this subcommittee will reconvene again at a later date, without any delay whatever, either later this week or not later than next Monday, and proceed to consider the matters submitted to us.

It is contemplated at this time that we shall remain in session this morning and hear the testimony of all those witnesses who desire to testify.

Mr. David L. Ladd, Commissioner of Patents.

I believe you are accompanied by Dr. William W. Eaton, Deputy Assistant Secretary for Science and Technology in the Department of Commerce.

Proceed with your statement, sir.

STATEMENT OF DAVID L. LADD, COMMISSIONER OF PATENTS, DEPARTMENT OF COMMERCE; ACCOMPANIED BY DR. WILLIAM W. EATON, DEPUTY ASSISTANT SECRETARY FOR SCIENCE AND TECHNOLOGY, DEPARTMENT OF COMMERCE

Mr. LADD. Mr. Chairman, when we were notified that we would be asked to accompany Mr. Knott at this hearing here today, it was my understanding that we would be here more or less on a standby basis. I am prepared to answer questions of the committee in relation to the need for this building, and I do have a statement which is now being circulated to the members of the subcommittee. However, in the light of the questions which were asked of Mr. Knott, and the answers which he gave, I would ask the indulgence of the committee to read this 15-page, double-spaced statement, with some appendixes for illustration, and to touch on the need for the building and the location of the building and the reaction of the bar to our proposal for a new Patent Office Building.

The thesis that I will argue will be very simple; namely, that the need is overwhelming, and, as much as I or others might desire particular locations, that the imperative need is for the construction of a new facility, and that the alternative of locating it in the area indicated in the prospectus is acceptable. I hope to indicate it is acceptable not only to the Patent Office and to the Department of Commerce but the Bureau of the Budget and the General Services Administration, as well as to sizable segments of the bar as well.

Generally, Mr. Chairman, when I appear before committees to give testimony, I try to keep the testimony as dispassionate as pos-

sible. However, in this case I do not intend to be dispassionate. I plead with this committee to give us this building because it is indispensable to the improvement of the services and activities of the Patent Office.

Now if I may, I should like to turn to the prepared statement. There are appendixes which are mentioned by number in the statement, and which can, therefore, be followed by members of the committee.

During 1962 all operations of the Patent Office were subject to an intensive management survey. The report of the survey succinctly set forth basic reasons for the current proposal. It said, in part:

> It is unmistakably clear * * * that the Patent Office's need for adequate space and facilities permeates and overshadows most of the many other areas requiring improvement. Adequate space and facilities is a keystone without which other improvements cannot be expected to stand as a cure to the longrun and chronic problems of the Patent Office.
>
> Conditions today are not unlike those which must have existed 50 years ago, when the President's Commission on Economy and Efficiency, in reporting on an investigation of the U.S. Patent Office in 1912, stated that:
>
> "* * * it has become a settled conviction that any permanent improvement in the quantity and quality of work done by the Office, if done at a reasonable cost, must wait upon provision being made for adequate office accommodations for the force of more than 900 people employed in the Patent Office. * * *"
>
> It went on to recommend the erection of a new building to be used exclusively by the Patent Office and to be designed and equipped to meet the peculiar needs of the work of the Office, stating that "provision should be made for not less than 500,000 square feet of floor space within the building."
>
> Today, over 2,400 employees of the Patent Office are sought to be accommodated in less than the 500,000 square feet of space recognized to be needed 50 years ago. Compared with the 50 years preceding 1912, the last 50 years have brought forth over twice as many patent applications and seen the issuance of over twice as many patents of increasing complexity. Relatively speaking, accommodations for Patent Office operations have deteriorated during the past 50 years—there were about 200 square feet per employee of space of all kinds in 1912, there are about 200 square feet per employee of space of all kinds today—but the amount of patent reference matter to be accommodated along with the people has more than tripled in 50 years. The result finds the professional patent examiner with net working space of much less than existed under the inadequate conditions of 50 years ago. (Complete text of this portion of the report appears as exhibit 1.)

Here I should like to depart from the statement to say that those problems of the Patent Office have been analyzed and discussed in detail before the Appropriations Committees of both the Senate and the House, and in a series of monographs published by the Committee on Patent Trademarks and Copyrights of the Senate.

The program expansion to which the survey report refers is not one of administrative choice. It is one imposed by law and nurtured by an unprecedented technological advancement during the past two generations. Since the beginning of World War II alone, both the workload and the staff of the Patent Office have almost doubled.

Unfortunately space allotments have not even remotely kept pace with this growth. In 1942 the Patent Office occupied 375,000 square feet of space with 1,400 employees. Today it occupies 518,000 square feet with 2,500 employees—a personnel gain of 79 percent—a space increase of 48 percent. And even this space is divided between four locations, of which two are more than 40 years old. What in 1870 was a showplace of the Nation's Capital is today an overcrowded assortment of makeshift offices completely inadequate for carrying out its statutory obligations.

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A new building, just for the sake of erecting a monument is not important. Its effect on the people who occupy it and their ability to efficiently perform assigned tasks at the quality level demanded of them is quite another matter. Of the 2,500 employees now assigned to the Patent Office, over 1,200 are examiners and are professionally trained men and women. They are all engineers or scientists and all have at least one technical degree. Many have advanced degrees, usually in law, and all are responsible for a unique technical-judicial function indispensable to our Nation's progress. In addition to the formal education an examiner brings to this job, the Government invests a substantial sum in on-the-job training. It has been estimated that a skilled, fully trained patent examiner costs the Government between $15,000 and $20,000.

Despite salary reforms and increased promotional opportunities, the Patent Office "enjoys" an annual turnover rate of 20 percent among these experienced, well-trained employees on whom it must rely for the very preservation of the patent system. Why do they leave? One answer can be found in exit interviews where 85 percent of all examiners mention crowded working conditions and lack of air conditioning as factors influencing their decision to seek other employment. These people are working in quarters that are not air conditioned, a problem which many people do not consider.

Until the Patent Office can compete with other scientific agencies, not to mention private industry, on an environmental as well as a salary basis, the turnover can be expected to continue. If it continues the ultimate effect on our patent system will be disastrous, since for many years to come we must rely on the human intellect as a primary source of judgment.

Mute but dramatic testimony to the seriousness of the situation can be obtained by even the most casual tour through a typical examining group. Here the problem displays itself in its rawest form. It is here that the graduate engineer-attorney must surround himself with his search files and give considered judgment to matters affecting the very lifeblood of the Nation's industrial economy. What does such a tour reveal? First of all, it reveals an overwhelming volume of search records containing the vitally important history of endeavor in every field of science. Files that are active, essential tools to the examiner's work—files that must be constantly and readily available to him. Today, because the Office has been pushed and cramped and squeezed, these active records occupy one-third of the total space assigned to the patent examining corps. The net result—the average patent examiner has approximately 49 square feet of space about the size of a ping-pong table, in which to place his desk, chair, and perhaps a bookcase. In this space he must conduct an independent research program, confer with fellow examiners, and interview attorneys and inventors.

Mr. Chairman, there are people present today from the examining corps in the Patent Office. I notice from the list of prospective witnesses that Mr. Ralph Blakeslee intends to testify, and the committee may care to ask him about working conditions in the Patent Office.

Exhibit No. 2 is a graphic illustration of the situation. The examiner in this picture is Mr. Burton Faust. Mr. Faust holds a bachelor's degree in physics and chemistry and is now a GS–14. He

entered the Patent Office in 1942 after teaching physics at the University of Miami. The front of his desk is less than 3 feet from his search files which with two desks and chairs, are jammed in an area of less than 100 square feet.

At the left of exhibit 3 is Mr. Walter Lynde, who holds a bachelor's degree in electrical engineering and is a registered professional engineer. Mr. Lynde entered the Patent Office after 4 years with A.T. & T., 2 years in research with General Electric, and 3 years as an instructor at Fenn College in Cleveland. His examining field is that of automatic telephone systems and equipment and he has issued some of the largest and most complicated patents yet processed by the Office.

The examiner on the right of exhibit 3 is Mr. Paul Flattery. Mr. Flattery also holds a bachelor's degree in electrical engineering. Mr. Flattery left the Patent Office after slightly more than 1 year's service. Today he works for a local patent attorney and is attending law school. A total of four electrical engineers occupy this 15- by 19-foot room.

Exhibit 4 shows the quarters occupied by Mr. Harold Halpert, Mr. Ancel Lewis, and Mr. George Gerstman. Mr. Halpert holds a bachelor of laws' degree in addition to a degree in mechanical engineering. His field of examination covers automation tape-controlled servomechanisms. Mr. Lewis and Mr. Gerstman are both electrical engineers and both are enrolled in law school. After this picture was made last fall, Mr. Lewis left the Office for private employment. There is little wonder why patent examiners are frequently reluctant to have their friends and professional colleagues as visitors.

A lack of adequate space has produced many scenes like that found in exhibit 5. The aisle space in this search area is only 40 inches at its widest point and narrows to an unbelievable 32 inches at another point in the same room. Reference material in these cases is related to the field of railway controls and switching devices. In some instances, as shown by exhibit 6, the examiner's search files have been used to form the walls of his "office."

Even under the best available conditions the Office has been forced to tolerate overcrowded examiner work areas. Exhibit 7 portrays a so-called model division. Here again, two examiners must occupy a 7½- by 13-foot cubicle. The noise level is high and privacy is absolutely unattainable.

Working conditions in the U.S. Patent Office form a startling and unfavorable comparison to similar installations in the European countries. Exhibits 8, 9, and 10 depict work areas in the new German and Swiss patent facilities where examiners each have a private office of between 180–200 square feet. In further comment on this problem, the survey report, which I referred to, stated:

> * * * it is of more than passing significance that most of the leading European countries (Russia, Denmark, Germany, Switzerland, England, et cetera), have found it necessary to provide modern buildings architecturally suited to the unique requirements of a patent office. The United States—leader of scientific and technological advancements—can afford to do no less.

Overcrowded conditions are not limited to examiner work stations. Administrative and public areas of the Patent Office are equally cramped and ill-suited for the orderly conduct of business. Exhibit 11 shows one section of the public search room files, visited by hundreds

of inventors, attorneys, and scientists each day. The Office's priceless collection of foreign patents and technical literature is literally bursting at the seams and large segments have, in fact, been transferred to relatively remote and inaccessible locations out of sheer physical necessity.

Every effort has been made by Department of Commerce officials to adequately house the Patent Office within the main Commerce Building. Smaller, but important, bureaus and organizational units have been relocated wherever possible but there is a limit to how much can be accomplished in this fashion. Other significant programs of the Department have equal claim on available space and their requests must not go undenied. Even if space were available in the main building, its architectural configuration is such that advantage could not be taken of countless technological improvements such as pneumatic tube and conveyor belt systems, closed circuit TV, computer installations, et cetera. And it is on such devices and even more sophisticated systems that the Patent Office must rely to prevent future runaway in its space program.

The need for adequate Patent Office facilities has gained widespread recognition and support. In its report to the President last year, the Ad Hoc Committee on Federal Office Space stated:

> * * * Patent Office quarters in the main (Commerce) building are also overcrowded and recently some operations have had to be moved to leased space. These conditions are regarded as seriously interfering with efficiency of operations. More suitable quarters for these operations are very much needed.

Public recognition and support is evidenced by a large number of statements and resolutions from the patent bar, industry and other interested parties. At the request of Senator Holland, summaries of these statements were entered in the record at Patent Office appropriation hearings for fiscal year 1963. A copy of pertinent pages of the hearing is reproduced as exhibit 12.

In December of last year, Assistant Secretary of Commerce J. Herbert Hollomon held a conference with 23 representatives from private industry and patent bar groups from all areas of the country. The urgency of need for adequate Patent Office facilities was dramatically evident in this group, who voted unanimously that although the desirability of locating a building in downtown Washington went without question, they would support relocation to another site within the framework of the year 2000 plan if construction could be expedited by such a concession. The effect of relocation on the public as well as the Office was also the subject of considerable and valuable discussion and a copy of the entire transcript has been appended as exhibit 13. It was the consensus of opinion that the cultural, recreational and economic environment of the Washington area, so important to recruitment and retention of qualified employees, would still be within reach if the Office were located along a year 2000 corridor.

When considering the effect of relocating the Patent Office, it is important to consider the probable extent to which today's experienced staff would be affected by something which would be happening some 5 years from now. For this purpose, we can look to the makeup of today's staff.

First of all, we find that about 54 percent (some 1,300) of the Patent Office staff are patent and trademark professional employees. Out of

every 100 of these employees, 59 have been with the Patent Office for 5 or more years, 38 for 10 or more years, and 20 for 20 or more years.

Another 17 percent (about 400) of the Patent Office staff comprises the important segment of key managerial and administrative employees in grades 5 and above. Out of every 100 of these, 78 have been with the Patent Office for 5 or more years, 64 for 10 or more years, and 23 for 20 or more years.

The remaining 29 percent (about 700) of the Patent Office staff comprises employees in the less demanding positions below grade 5. Even among these, we find that 42 out of every 100 have been with the Patent Office for 5 or more years, and 20 for 10 or more years.

From this recent analysis of our staff, it is not unreasonable to conjecture that about 1,400 of today's employees of the Patent Office will be very much concerned with where the Patent Office is located 5 years from now. We can expect this number to include about 800 experienced patent and trademark professional employees and 300 experienced managerial and administrative employees in grades 5 and above.

The building prospectus and authorization request now under consideration is the result of intensive study and analysis by the Patent Office, the Department of Commerce, the Bureau of the Budget and the General Services Administration. It represents what is believed to be an economically sound and operationally feasible answer to the Patent Office space problem for a good many years to come. We believe that a building of the size now contemplated will adequately house the Patent Office for some years to come and will provide the architectural freedom necessary for installation of systems designed to restrict expansion needs.

Close examination of the prospectus figures will disclose no effort to create an edifice of pretentious dimensions. It will, however, provide each patent examiner with a private work area of 150 square feet—hardly what he might find among private industries engaged in similar research tasks, but at least adequate for the conduct of his searches, conferences and interviews. Space has been included for moderate expansion of administrative and public areas and for housing the vast special-purpose reference files so vital to an effective patent system. Badly needed classrooms and laboratories have also been provided for in addition to a modest auditorium. Today, incidentally, meetings of the Patent Office employees corps must be conducted in sections and even then in another building.

The operations performed by the Patent Office impose restraints upon the design of a Patent Office Building just as the functions performed in any building dictate to some extent the nature of the building design. In the case of the Patent Office, the special requirements for particular nonconventional types of space constitute nearly one-half of the entire space requirements. One-half of any building designed for the Patent Office would be basically unsuited to the needs of any other tenant, or conversely, a conventional office building would require extensive modifications to nearly one-half its area in order to effectively house the Patent Office.

The bulk of this large requirement for special-purpose space results from the large quantities of paper that are handled daily within the Patent Office. This paper is not in the form of unused records that

can be stored away at some remote point; it is rather in the form of active document files constantly used by Patent Office employees and members of the public. The 1,000 patent examiners search daily through their files of 12 million documents for nearly 5 hours each day. The 300 public search room seats are occupied daily by searchers reviewing the 10 million patent documents in the public files. Other public searchers review bound volumes in the Scientific Library. Each day over 25,000 patent documents are withdrawn from the stock of the Patent Copy Sales Branch by over 50 copy pullers for distribution and sale. Clearly, all of these files are in every sense active, and the degree of activity warrants housing them in spaces particularly suited to their efficient utilization.

Studies are presently being conducted which, it is hoped, will result in a system for the reduction of the massive paper files to microfilm and thereby reduce some of the special requirements resulting from the active paper files. The patent documents are studied for 5 to 7 hours each day in great detail by the patent examiners; therefore, any system must provide for the highest quality graphic image as well as access speeds considerably above what the present state of the art can provide. It would surely be imprudent to design a new building which provides only for Patent Office needs of today. Instead, a new building should be designed with a view to accommodating at least two or three generations of document-handling technology.

Relocation of the Patent Office to an area outside of Washington, D.C., will create a number of problems, none of which we believe to be insurmountable. Determination of a new location and selection of a building site must be preceded by careful study and analysis of all pertinent factors. Of primary importance will be the effect of relocation on the present work force. As previously mentioned, over one-half of the present staff will be vitally affected by any move during the next 6 years.

The unique educational, cultural, social, and economic background of this large hard core of skilled professional and administrative employees is closely identified with and oriented to the Washington area and mass transfer to a region quite remote from Washington would, in my opinion, be impossible. Restaffing and retraining would be appallingly expensive, if possible at all, and almost crippling from an operational point of view.

Consideration must also be given to the relationship between the Patent Office and other major agencies now active in the field of information retrieval. For example, Patent Office efforts toward mechanization of the examiner search are closely interwoven with those of the National Bureau of Standards, the Census Bureau, and Armed Services Technical Information Agency, and others.

Relocation complications also exist in the interplay between the Patent Office and attorneys licensed to practice before it. Many hundreds of these men have established practices in the District of Columbia and are bar members of that jurisdiction only. In addition to their direct prosecution of cases before the Patent Office, they also serve as counsel on patent appeals before the U.S. District Court for the District of Columbia and the Court of Customs and Patent Appeals.

In a like manner, the Patent Office must by present statutes respond to suits in the same jurisdiction.

A final but extremely important relocation factor is the adequacy of long-distance public transportation. Much of the Patent Office's public contact is with inventors, attorneys, and scientists from all parts of the country. A Washington location has obviated any necessity for considering this problem in the past since out-of-town practitioners frequently make multipurpose visits to agencies in and around the Nation's Capital. Any relocation plans must of almost a necessity provide for rapid access to major air and rail terminals.

It is our belief that all of the above criteria can be met within the policies and guidelines set forth in Executive Order 11035 and the President's subsequent memorandum regarding the Year 2000 Plan. We believe that careful selection of a site outside of the Washington metropolitan area but along one of the corridors leading to it will preserve desirable environmental and organizational relationships. At the same time it would become a forerunner in the administration's current efforts to decentralize and disperse Government installations as explained by the Director of the Bureau of the Budget in his February 8, 1963, letter to the Honorable Jack Brooks, chairman of the Government Activities Subcommittee, House of Representatives (exhibit 14). In commenting on the Year 2000 Plan, Mr. Gordon stated in part:

> The budget review process can be an effective aid in implementing a policy of decentralization, as is evidenced by the decision to recommend in the 1964 budget funds for sites and plans for a new Patent Office facility which would be located outside the National Capital region.

In summary, we believe that the present recommendation of the General Services Administration for a new Patent Office facility is fully justified and urgently needed. By careful appraisal and selection of a new location and building site, we believe that future implementation of the patent system can be carried out with efficiency and a minimum disruption of public and private interests.

This statement comprises an elaboration of the special need which compelled the General Services Administration and the Bureau of the Budget to give what I consider to be extraordinarily sympathetic consideration to the needs of the Patent Office to enable us to present this proposal to you in the fiscal year 1964.

Let us talk for a moment about the reactions of the bar. I am a patent lawyer myself. It is true there is a heavy concentration of patent lawyers and other professional and semiprofessional personnel in Washington, but it by no means represents even the majority of the people concerned with it. I would not deny the removal of the Patent Office to northern Virginia, or Maryland, or any place outside downtown Washington, will cause some discomfort. It will, and it will cause some discomfort to our Patent Office staff. My contention is simply that the need is so strong and so great now, and the problems of the Patent Office are so great, that it is not unreasonable to ask of us, the Patent Office employees and members of the bar, to accept this not unreasonable condition for the purpose of obtaining authority to construct a building now.

Mr. Chairman, if I may be so bold, I would suggest that you ask witnesses later who testify in opposition to removing the Patent Office from downtown Washington, whether given a choice of no Patent Office Building at all for the next 3 or 4 or 5 years, they would still refuse to agree to the removal of the Patent Office to some place like Anne Arundel County or Howard County.

I might raise some question, too, about how serious is this inconvenience. As you know undoubtedly, within the last year the John Hanson Highway to Annapolis has been completed. The prospectus specifies not only Anne Arundel County but Anne Arundel and Howard. The main consideration is to have a building located along an arterial highway for rapid commutation to the Office.

I might say, for example, at Chicago where I come from, most patent lawyers spend more time in commuting from their homes to the office than is required to commute from downtown Washington to this area. I am sure our employees are ready to accept this. I feel that the area, specified in the prospectus is not an unreasonable area, and I feel to repeat, that the need is so strong that a genuine concern for the problems of the Office and for the patent system itself, would require an acceptance of the site which is proposed in the prospectus.

You will find statements in the appendix attached to my statement reflecting comments which have been received from the bar. They indicate that such a location would not be unacceptable. Last year before the Senate Appropriations Committee we were asked to provide an abstract of all correspondence which the Patent Office had received about the proposed relocation of the Patent Office. That has been extracted and made a part of my statement as exhibit 12.

For example, let me take a statement of the Patent-Trademark-Copyright Section of the District of Columbia Bar Association itself. This is a resolution passed at its May 15, 1962, meeting. It read as follows:

Resolved, That the Patent-Trademark-Copyright Section of the District of Columbia Bar Association advocates a suitable housing facility for the Patent Office to meet its critical needs and to provide for future expansion;

That such a suitable housing facility requires a new Patent Office building tailored to Patent Office operation needs;

That a reasonably accessible and sufficiently large site within the District of Columbia is preferable and highly desirable for the location of such new Patent Office Building;

That a continued and determined effort be directed to locating such new Patent Office Building within an accessible area in the District of Columbia;

That a site outside the District of Columbia, but within the Metropolitan Washington area, should be selected only as a last resort to avoid unreasonable delay in the completion of such new Patent Office Building and to assure efficient operation, provided such site within the Metropolitan Washington area and outside the District of Columbia is reasonably convenient for the many visitors to the Patent Office and realizing certain problems are yet to be resolved relative to such site.

I maintain such a resolution shows there is an overwhelming need for a building now, although it may require location outside of the District of Columbia.

That completes my statement.

Senator YOUNG. Mr. Commissioner, may I congratulate you, first, for submitting an extremely well-prepared and thoroughly well prepared and convincing statement to this committee?

Mr. LADD. Mr. Chairman, I have been praying for this day for several years.

Senator YOUNG. Then, in addition to that, by making a very impressive oral statement to this committee.

Mr. LADD. Thank you.

Senator YOUNG. And we thank you for appearing here.

Senator Jordan, do you have any questions?

Senator JORDAN. Mr. Chairman, I have a couple of questions. I think they have been fairly well answered, but I have one here.

Have the various patent attorneys' organizations been consulted not only in locating the building but also in planning the building? I wonder if you will elaborate on this. When you said the metropolitan area of Washington, how far does that extend? Does that go to Baltimore?

Mr. LADD. Senator Jordan, I think I can tell you what is visualized by the site specified in the prospectus: "reasonable commuting distance." I would say less than an hour. And it can be, if it is anywhere within Howard or Anne Arundel Counties, with the John Hanson Highway, or the Baltimore Expressway; and also, with the imminent completion of the Circumferential Highway.

One of the things we have taken into consideration is where our employees are presently located, and where they can be predicted to move if the Patent Office were located in a place like Anne Arundel or Howard Counties. There is a heavy concentration of our employees in Northwest Washington and Arlington, and that area. Access time over the Circumferential Highway and Baltimore Expressway, or John Hanson Highway, would in many cases make commuting time to a new Patent Office in that locality compare favorably with downtown Washington. That goes also for the Patent Office——

Senator JORDAN. Do those two counties adjoin the District of Columbia?

Mr. LADD. Not immediately; no, sir.

Senator JORDAN. There are counties in between those two counties and the District of Columbia.

Mr. LADD. Yes, sir. My recollection is—let me give you a direct answer, because I have a copy of the "Year 2000 Plan" here. I think Prince Georges and Montgomery Counties intervene between those two counties.

Senator JORDAN. That is all right.

Mr. LADD. It is a matter of geography.

Senator JORDAN. I just wondered why you wanted to go that far away.

Mr. LADD. Senator Jordan, I think that the answer is, because it is possible under the schedule of priorities established for the Patent Office to be included in this fiscal year, provided it is put into a dispersed or decentralized locality like Anne Arundel or Howard Counties.

Senator JORDAN. That answers my question. Thank you very much.

Senator YOUNG. Any other questions? Senator Cooper?

Senator COOPER. No questions.

Senator YOUNG. Senator Bayh?

Senator BAYH. I would like to ask a question.

Senator YOUNG. Yes.

Senator BAYH. What about the order of priorities? Where do we stand on that as far as the priority is concerned, to locate it in the metropolitan area?

Mr. LADD. Senator Bayh, let me answer that question as best I can, according to my understanding.

As I understand it, the priorities for construction in the District of Columbia, or the National Capital region, which is defined in the "Year 2000 Plan," is based on the Cabinet Level Committee on Federal Office Space in the Capital Region, which was headed by former Secretary Goldberg. I do not know the refined, item-by-item list of priorities. All I know is, we have been informed that the Patent Office on that list of priorities for construction in the District of Columbia would not be eligible for consideration for some time. That is the best I can do to answer your question.

Senator BAYH. Do you feel that this committee allowed other values other than the work space and work conditions and need for a new building from a functional standpoint, to lessen the priority that was given this Patent Office construction?

Mr. LADD. Senator, I am sorry. I do not understand your question.

Senator BAYH. If the need is so great they must have considered some other factors, such as the overall plan and the esthetic value of the building in the overall plan. If the need is great in Baltimore, it seems to me it would also be great today in the Washington area.

Mr. LADD. Senator, let me answer your question in this way: I do not know the reason why the priorities were established in the way that they were. It may well be, but I am guessing and conjecturing, that those proposals which are ahead of us could not as comfortably or readily be removed to an outlying area as the Patent Office. I do not know. I might suggest, Senator, that those questions could be probably more productively directed to the General Services Administration.

Senator BAYH. Thank you.

Senator YOUNG. Senator Nelson?

Senator NELSON. No questions.

Senator YOUNG. Thank you very much, Mr. Commissioner.

Mr. LADD. Thank you, Mr. Chairman.

(The documents attached to the prepared statement of Mr. Ladd as appendixes are as follows:)

EXHIBIT 1

Suite 1002 Ring Building
Washington 6, D. C.

October 13, 1961

Dear Commissioner Ladd:

It is unmistakably clear to me that the Patent Office's need for adequate space and facilities permeates and overshadows most of the many other areas requiring improvement. Adequate space and facilities is a keystone without which other improvements cannot be expected to stand as a cure to the long-run and chronic problems of the Patent Office.

The need for adequate space and facilities is urgent, but not new to the Patent Office. Its long history is punctuated with the plague of space and facilities problems. The record shows repeated struggle for solution which apparently was never realized except for short intervals. Its chronic deficiency in accommodations is, in my opinion, one of the most significant factors underlying the ineffectiveness of many past efforts to bring about lasting improvements in the Office's operations.

From 1840 to 1932, the Patent Office occupied the building at Seventh and F. Streets, N. W. The building had been specially designed and constructed to meet the need of the Office, including foreseeable expansion and additions as the activites increased. The last wing of the building was completed in 1867, twenty-seven years after the original unit was completed and occupied. It was not foreseen at the time of the building's conception that responsibilities and operations of the Patent Office would have expanded to the point where, in 1924, it required not only all available space in the Patent Office Building, but also additional space in the Land Office Building.

In 1932 the Patent Office was moved to its present location in the Department of Commerce Building. Once again provision ostensibly was made for continued growth and once again the Office has outgrown the area designed for its accommodation. From 1942 to 1946 the examining operations and some of the program service units were located in Richmond, Virginia. This move had become necessary in order to accommodate several wartime agencies in the Commerce Building. The examining operations and other units returned to the Commerce Building in 1946 with a larger staff. Though compressed into a somewhat smaller area than was occupied in 1942, all units of the Patent Office were again together in the Commerce Building.

In 1956, due to lack of available space in the Commerce Building, it was found necessary to move part of the administrative operations out of the building, this time to Temporary Building T-5 on Constitution Avenue. In 1958,

with the moving of other Commerce units out, the entire Patent Office was once more brought togehter in the Commerce Building.

Now, in 1961, the continuing search for some relief for the congested examining divisions and supporting units finds portions of the Office again moved to other buildings. The Office of Research and Development has been relocated in a building near 14th and G Streets, N. W. The Board of Appeals, Trademark Examining Operations, Trademark Trial and Appeal Board, and Board of Patent Interferences have been relocated in a building at 18th and K Streets, N. W. With such scattered operations, efficiency must continue to be a trade-off for limited relief of the accommodations problem.

This brief historical background shows the growth of the Patent Office as the Nation has grown and as science and technology have aided in developing commercial and industrial enterprises through the Patent System. The rapid developments of science and technology during recent years have been reflected in increased Patent Office operations, and there is little doubt that this will continue at an even more accelerated rate.

Conditions today are not unlike those which must have existed 50 years ago, when the President's Commission on Economy and Efficiency, in reporting on an Investigation of the United States Patent Office in 1912, stated that:

> "***it has become a settled conviction that any permanent improvement in the quantity and quality of work done by the Office, if done at a reasonable cost, must wait upon provision being made for adequate office accommodations for the force of more than 900 people employed in the Patent Office."

It went on to recommend the erection of a new building to be used exclusively by the Patent Office and to be designed and equipped to meet the peculiar needs of the work of the Office, stating that "provision should be made for not less than 500,000 square feet of floor space and 10,000,000 cubic feet within the building".

Today, over 2,400 employees of the Patent Office are sought to be accommodated in less than the 500,000 square feet of space recognized to be needed 50 years ago. Compared with the 50 years preceding 1912, the last 50 years have brought forth over twice as many patent applications and seen the issuance of over twice as many patents of increasing complexity. Relatively speaking, accomodations for Patent Office operations have deteriorated during the past 50 years - there were about 200 square feet per employee of room space of all kinds in 1912 - there are about 200 square feet per employee of room space of all kinds today - but the amount of patent reference matter to be accommodated along with the people has more than tripled in 50 years. The result finds the professional patent examiner with net working space of much less than existed under the inadequate conditions of 50 years ago.

About half of total room space of all kinds today is usable as office space, as contrasted with storage and other special purpose space. In a typical examining division, almost one-third of the office space is taken up by "shoe cases". These files of reference matter must of necessity be located in close proximity to the examiners and the result is a deplorable overcrowding of highly-

skilled professional employees. Even in the best equipped and arranged divisions it has been necessary to assign two examiners to each cubicle measuring 7 x 13-½ feet, or a net space allocation of only 47 square feet per examiner. A good mental picture of just what this means may be formed by envisioning a man, his desk and chair perched on the top of a standard sized ping-pong table.

The average patent examiner must work in cramped and cluttered quarters which are suggestive of the habitat of the legendary garret inventor. Yet the patent examiner of today is an important link in the ever-expanding, vast complex of scientific research and development projects and the operations of applying new knowledge and techniques to our industrial system. It is he who undergirds the system conceived by the framers of the Constitution to provide for patents as a prime incentive to promote the useful arts and sciences. With the Nations's technological and industrial leadership being openly challenged by a major world power, the incentives for progress inherent in the Patent system must be fully exploited. It naturally follows that the professional persons who perform the examining job must have adequate accommodations and working facilities if they are to remain with the Patent Office and be expected to pursue vigorously the programs for insuring timely processing of patent applications.

From time to time I have occasion to talk to visiting lawyers, other professional people, and Government officials from foreign nations. When I mention some of the conditions in the Patent Office (well known throughout Government and in the American Bar) these visitors are amazed and appaled. Their typical reaction goes somewhat like this: "Surely the nation that leads the world industrially and emphasizes technological progress so much would have the most modern patent facilities in the world. I have not observed such conditions in any of your other Government agencies which I have visited."

The existing accommodations problem is not confined to overcrowding of available space. There are problems resulting from the characteristics of the space that rival the scarcity situation in terms of inadequacy of working environment. The Commerce Building lacks both controlled winter ventilation and central air conditioning. Added to overcrowded space is a motly collection of electric wall and floor fans which add to the background noise level, cause employees endless annoyance in keeping papers from blowing about, and, almost incidentally, produce some movement of the sultry air which characterizes Washington summers.

In addition to the summer heat, humidity, and locally generated noise, there is a sustained volume of traffic noise produced on the heavily travelled streets which encompass the building. The limited defense against street noise available via closed windows in winter cannot be used in summer. Only in scattered areas of heavy concentration of mechanical office equipment is there any appreciable sound conditioning of ceilings or walls. Although much improvement in lighting is evident, about half of the Patent Office employees still work in areas artificially lighted according to the standards of 1930 in a building so designed as to be heavily dependent upon artificial illumination.

The characteristics of the space now in use cannot be fully appreciated without directing some attention to the broad environment in which it is located. In addition to the factor of traffic noise mentioned earlier, the matter of reasonably convenient access by employees and others warrants consideration of importance. In spite of other advantages which may exist, the Patent Office location in the heart of the congested area of Washington cannot be regarded as convenient to a large majority of its employees.

Access is less a matter of distance than it is a problem of traffic density. There is no need to belabor the well known deficiencies in the public transportation systems in the area or the lack of arterial streets, bridges, etc., for accommodating traffic flow. However, it is quite obvious that a person who must expend two, three, or more hours each day, with the attendant tensions and frustrations, getting to and from his employment is dissipating energy that might otherwise serve to increase his effectiveness on the job. In order to ameliorate to a degree the problem of transportation, a limited number of Patent Office employees have organized carpools. Extension of this relieving measure is effectively blocked by the unavailability of reasonably priced parking facilities in the vicinity. As I pointed out in an interim report, about 75 parking spaces are being provided for the Patent Office which has over 2,400 employees. Each of about a third of the parking spaces is restricted to use by the same automobile rather than permitting alternate use of automobiles by drivers in a pool arrangement. For the other two-thirds, each space accommodates an average of four employees by carpool and alternate driving arrangements. In all, only about 10 percent of Patent Office employees are accommodated by parking facilities.

Much attention has been devoted in recent years to the inadequacy of Federal salaries. This has resulted in some leasening of the disparity between private and public compensation. However, much too little attention apparently has been given to the working environment in the Federal service. This factor has not escaped the attention of realistic private employers. It is well known that working conditions traditionally have been coupled with compensation in trade union philosophy and certainly the human needs of professional employees in the Federal service are quite as real as those of skilled craftsmen.

The Patent Office role in the scientific and technological development of the country is primarily one of human endeavor. It calls for persons whose application of intellectual effort in the most effective manner demands a suitable working environment. Unless this demand is met, the Patent Office can not expect to attract, retain for career service, and fully utilize the amount and type of professional skills on which it must depend. Long overdue is the removal of both the operational and the psychological disadvantages of inadequate accommodations for the professional skills for which there is strong competition with other employers.

The fact must be faced that the patent system and Patent Office operations will continue to grow with advancing science and technology. The Patent Office also must look forward to a much broader role in stimulating the technological development so vital to sustaining our way of life in the challenging years ahead. The solutions to many vital technical problems in industry and in research and development fields will need expediting by vastly improved general access to the rich storehouse of scientific and technical knowledge contained in the working tools of the Patent Office.

To be near a state of adequacy in today's operations, the Patent Office would need to occupy suitably characterized space equivalent to about three-fourths of the Commerce Building. Since it is not possible to accept a premise that the scientific and technological development of our country has reached its "plateau", it is not possible to ignore the realism of further growth in Patent Office operations. Hence, it is not difficult to anticipate that the necessary growth within the next decade may find the Patent Office requiring at least as much suitably characterized space as is contained in the entire Commerce Building-

a little over one million square feet. Projections into the future extend these requirements well beyond the limits of the Commerce Building.

This Management Survey group would not presume to express detailed specifications concerning the space and facilities needed. This is a specialized task for architectural and engineering personnel. However, it is possible to set forth some basic factors which are so pertinent to the solution as to constitute a general framework around which detailed plans and specifications may be developed.

The amount of space provided for each employee should meet the prevailing current standards of private industry for broadly comparable types of work. The space should also meet generally accepted standards as to illumination, all-season air conditioning, and adjacent parking facilities. Beyond those conventional elements are requirements generated by the specialized nature of the owrk of the Patent Office. Prominent among these is the need for an auditorium as well as smaller assembly accommodations, and several conference rooms to accommodate training classes and other meetings which serve to help maintain the adequacy and consistency of patent examining practice among the numerous examining divisions; the need for a testing and demonstration laboratory that would permit the running of routine tests where they would expedite the resolving of question of patentability; the need to expand the area available to the public for making patent literature searches; and the providing of expansion of the scientific library.

It would be indeed shortsighted to ignore the probability that in the near future the Patent Office will make extensive use of electronic devices to aid the examiner in his searching endeavor and probably to supply on demand reproductions of patent copies. Anticipation of these developments should have a strong influence in planning adequate space and facilities.

The quest for solution to this pivotal problem of inadequate space and facilities seems to suggest two approaches. One approach would lead to unrestricted occupancy of the Commerce Building, about half of which is now occupied by the Patent Office and about three-fourths of which is presently needed. The other inevitably leads to the construction of a building designed to meet the present Patent Office needs and to provide for expansion in the future.

That the Patent Office should be brought and kept together in one location is axiomatic. There also appears to be a preponderance of reason in favor of maintaining its offices and facilities in the greater metropolitan area of Washington, D. C. Both of these perhaps basic criteria can be met under either approach by introducing the availability of such a site as exists in the Langley area of Fairfax County, Virginia. Near the newly completed CIA building is Federal land, commonly referred to as the "Commerce Campus", to which it is understood that access by circumferential highway will be possible in the near future. Other sites near the perimeter of the Washington area probably would present equal advantages for fulfillment of Patent Office needs in an optimum manner.

Unrestricted occupancy of the Commerce Building would appear to offer, at best, a limited solution. In-building needs could be achieved only by wholesale remodeling, with many structural obstacles to be overcome. Particularly is this believed to be so for the installation and broad usage of advanced electronic communication and information retrieval systems and devices to which the Patent Office must inevitably turn in its work. Structural limitations also

appear to preclude eventual expansion of facilities to meet the growing demands of the future. Realistically, any appreciable relief of present out-of-building inadequacies, such as employee and public parking facilities, cannot be readily visualized. The approach to occupancy of the Commerce Building carries with it, of course, the necessity for other units of the Commerce Department to be relocated elsewhere.

At this point, we must recognize that, according to the General Services Administration, the availability of existing space throughout the Washington area is far short of that needed to supply the needs of Federal agencies today. Hence, the problem of relocating into existing space which can be acquired by lease appears to have only piece-meal and partial solution. The situation strongly supports additional construction of Federal buildings, however.

The other approach leading to the construction of a new building for the Patent Office would open up about half of the Commerce Building for other occupancy. There are presently housed, in scattered locations throughout the area, units of the Department of Commerce, which, taken together, are occupying space approximately equivalent to the amount which the Patent Office occupies in the Commerce Building. These could be brought together in the Commerce Building to relieve the total Federal space problem by nearly one-half million square feet.

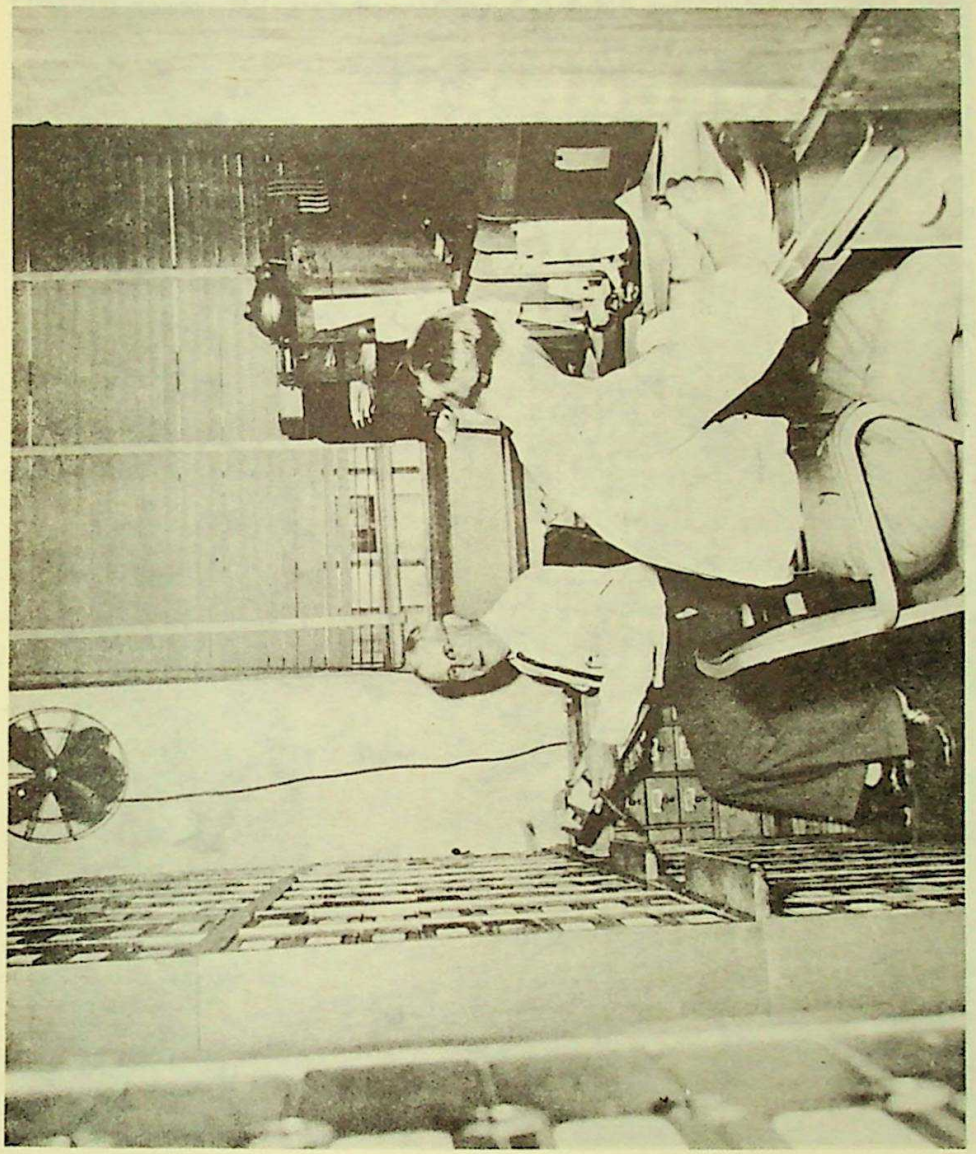
All factors considered, it is my conclusion that only the construction of a new building designed for Patent Office use would offer the permanency of solution needed for its heretofore chronic inadequacy of space and facilities. Such a building should provide for a reasonable amount of future growth, and be so designed and located as to permit enlargement to accommodate further growth. In treatment of this problem, it is of more than passing significance that most of the leading European countries (Russia, Denmark, Germany, Switzerland, Finland, England, etc.) have found it necessary to provide modern buildings architecturally suited to the unique requirements of a patent office. The United States - leader of scientific and technological advancements - can afford to do no less.

The urgency of getting started now is underlined by the fact that occupancy of a new building is perhaps four or five years away under the best circumstances of progress on authorization, planning, and construction. In the interim, and all opportunities for temporary relief, either within the Commerce Building or at nearby locations, will need to be fully exploited. The actuality of necessary authorization for undertaking the construction of a new building, and the evidence of its progress toward reality, would serve in the interim period as a powerful asset to the Patent Office for laying the groundwork of other lasting improvements in operation, so heavily dependent upon adequate space and facilities.

Sincerely,

Earl W. Kintner

EXHIBIT 2



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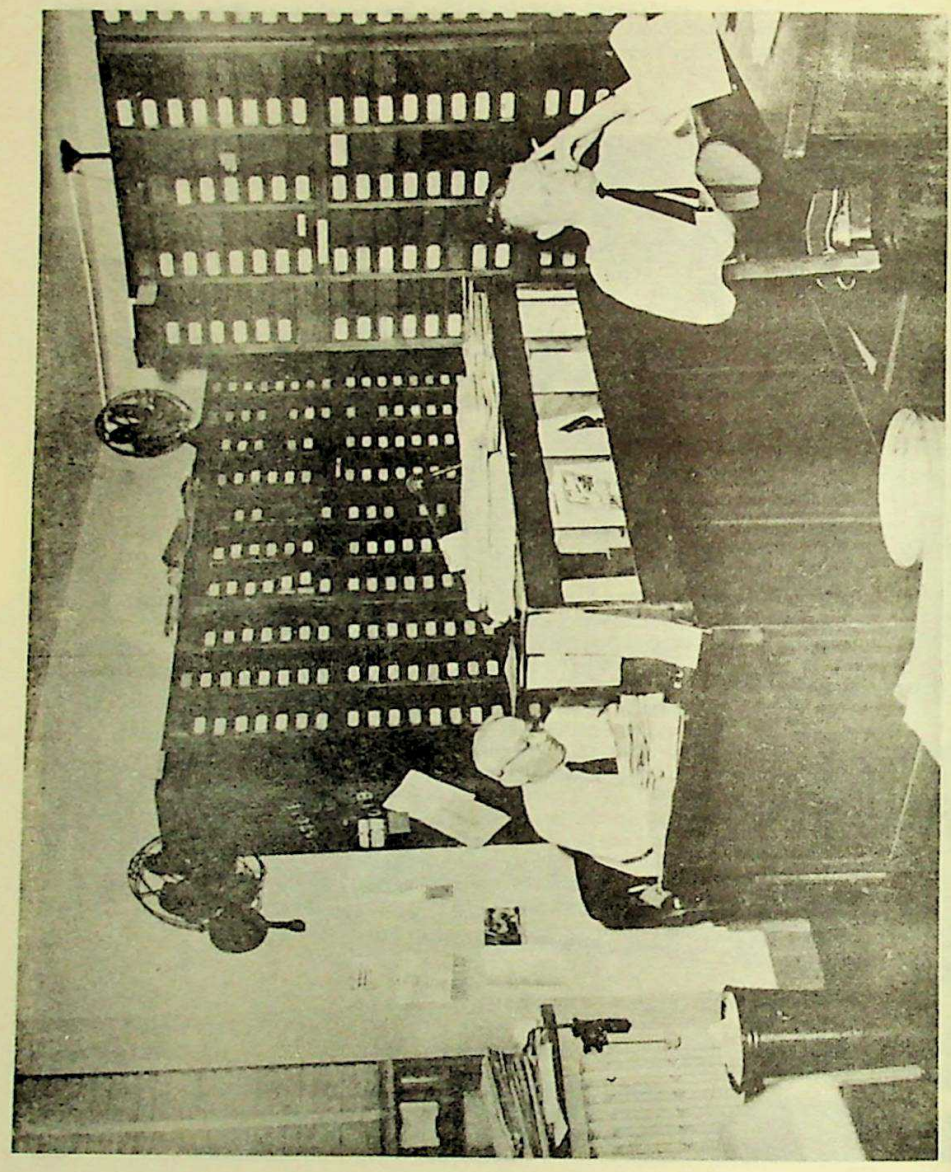

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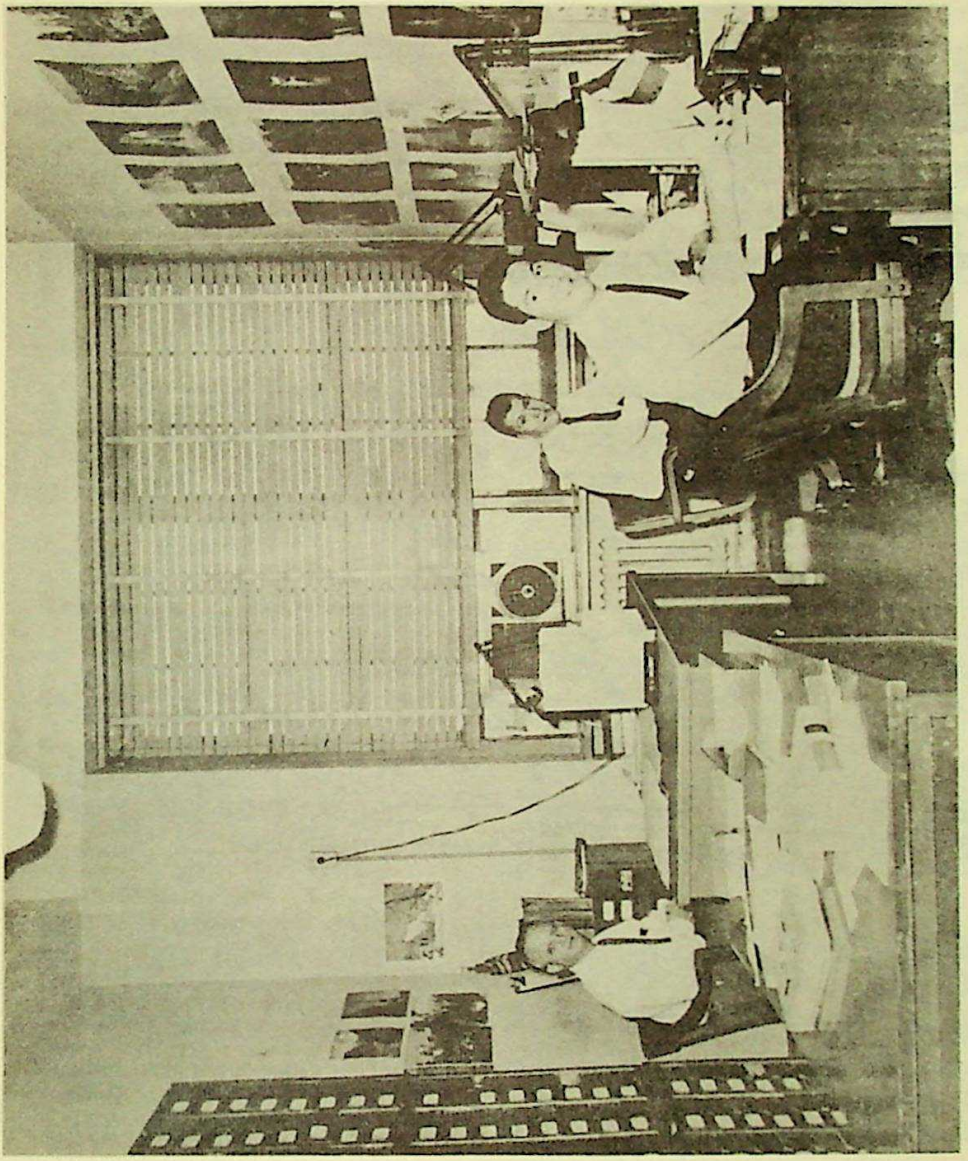

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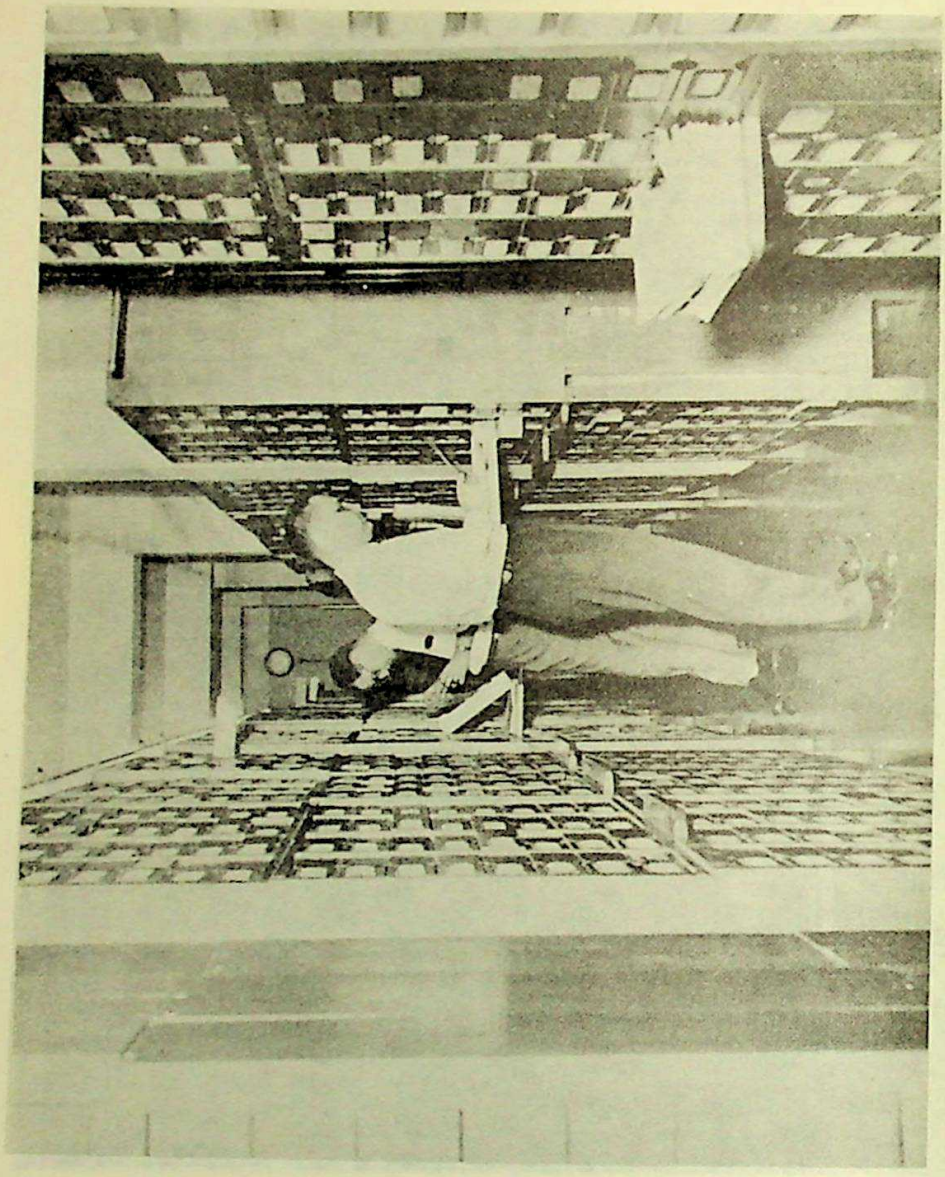
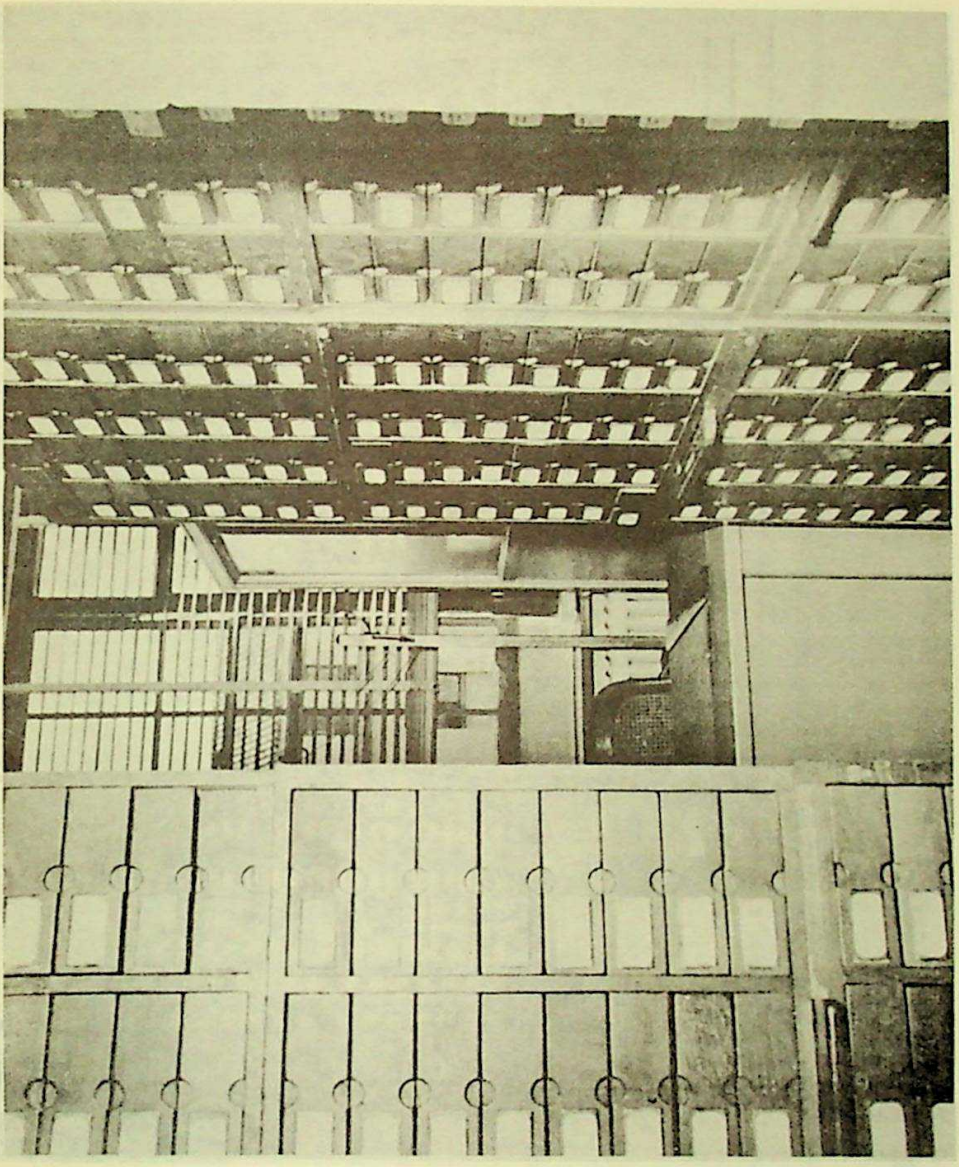


EXHIBIT 6



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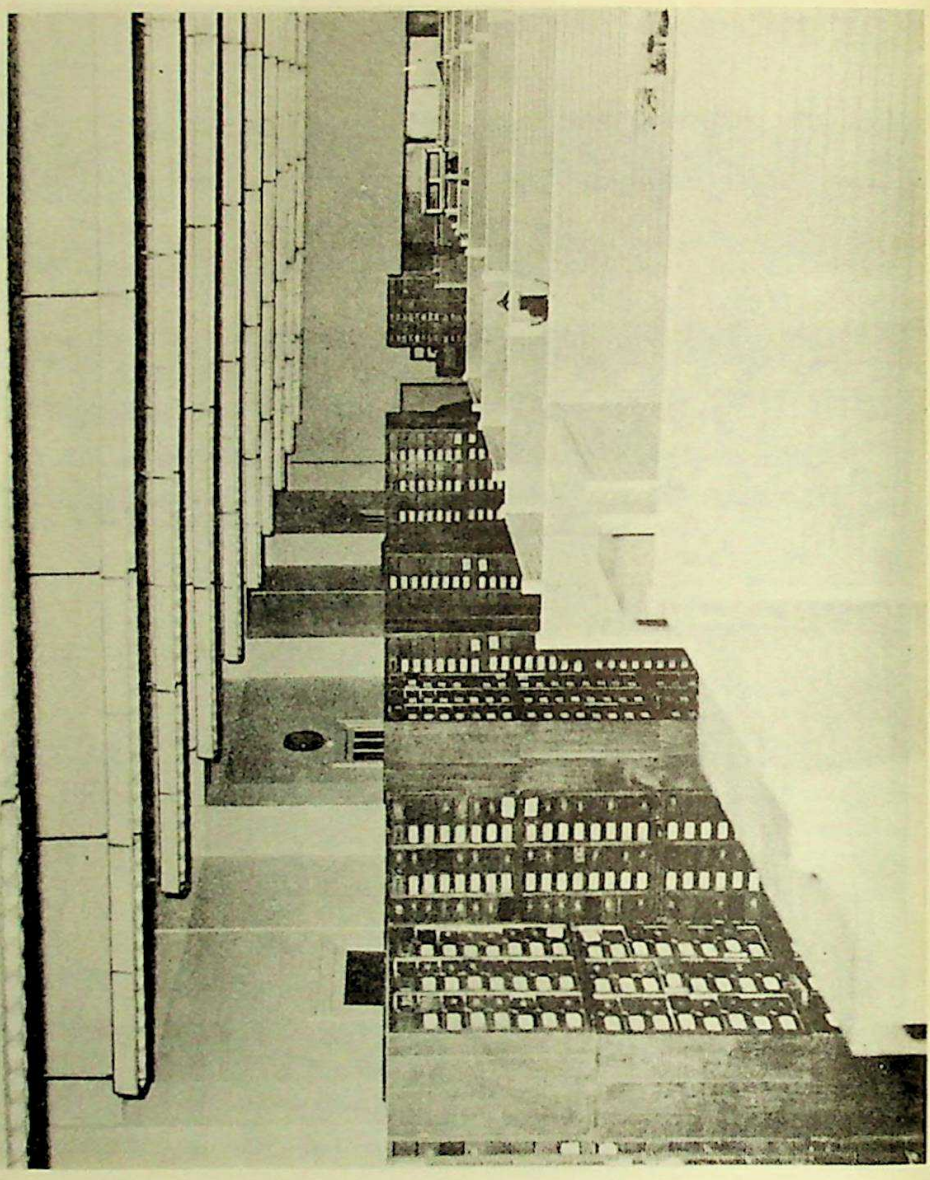

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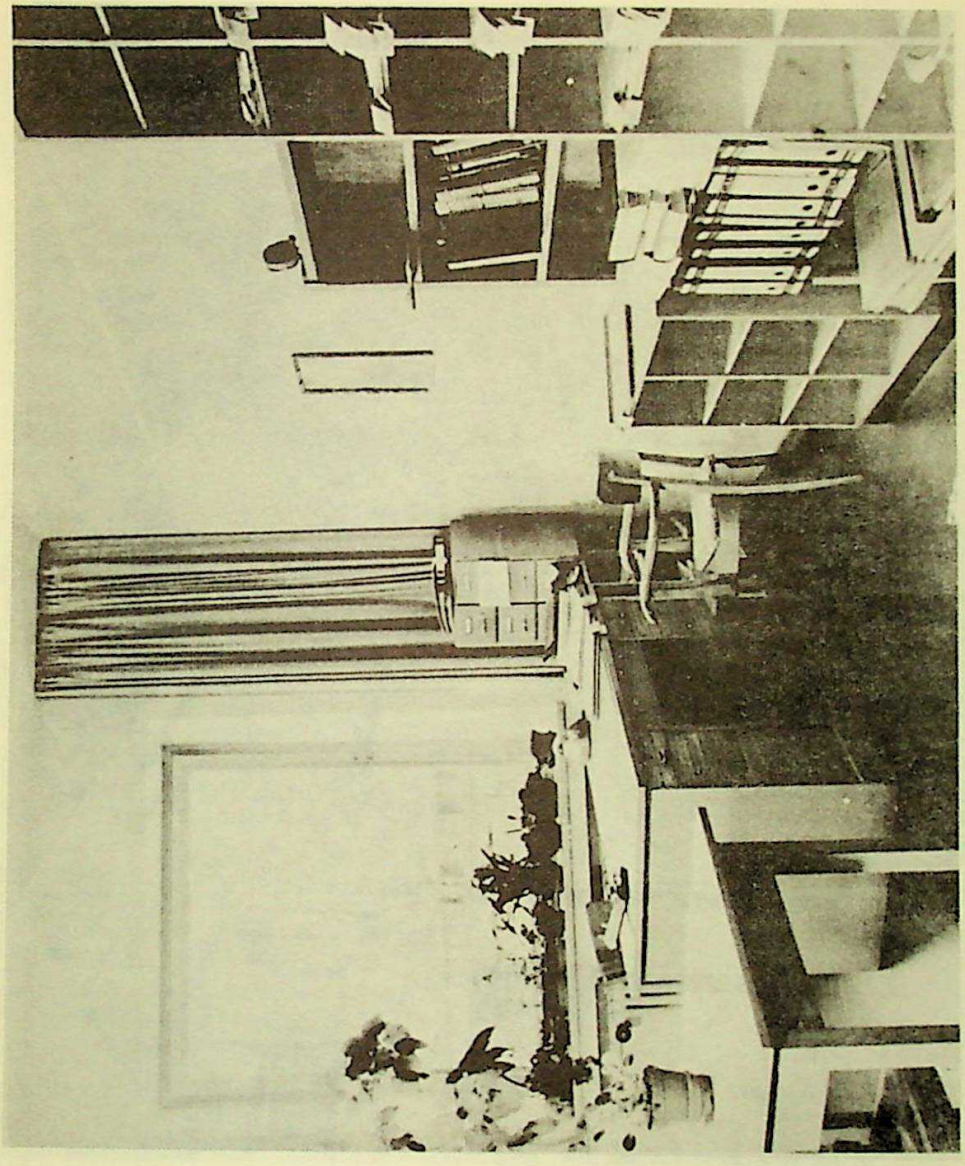

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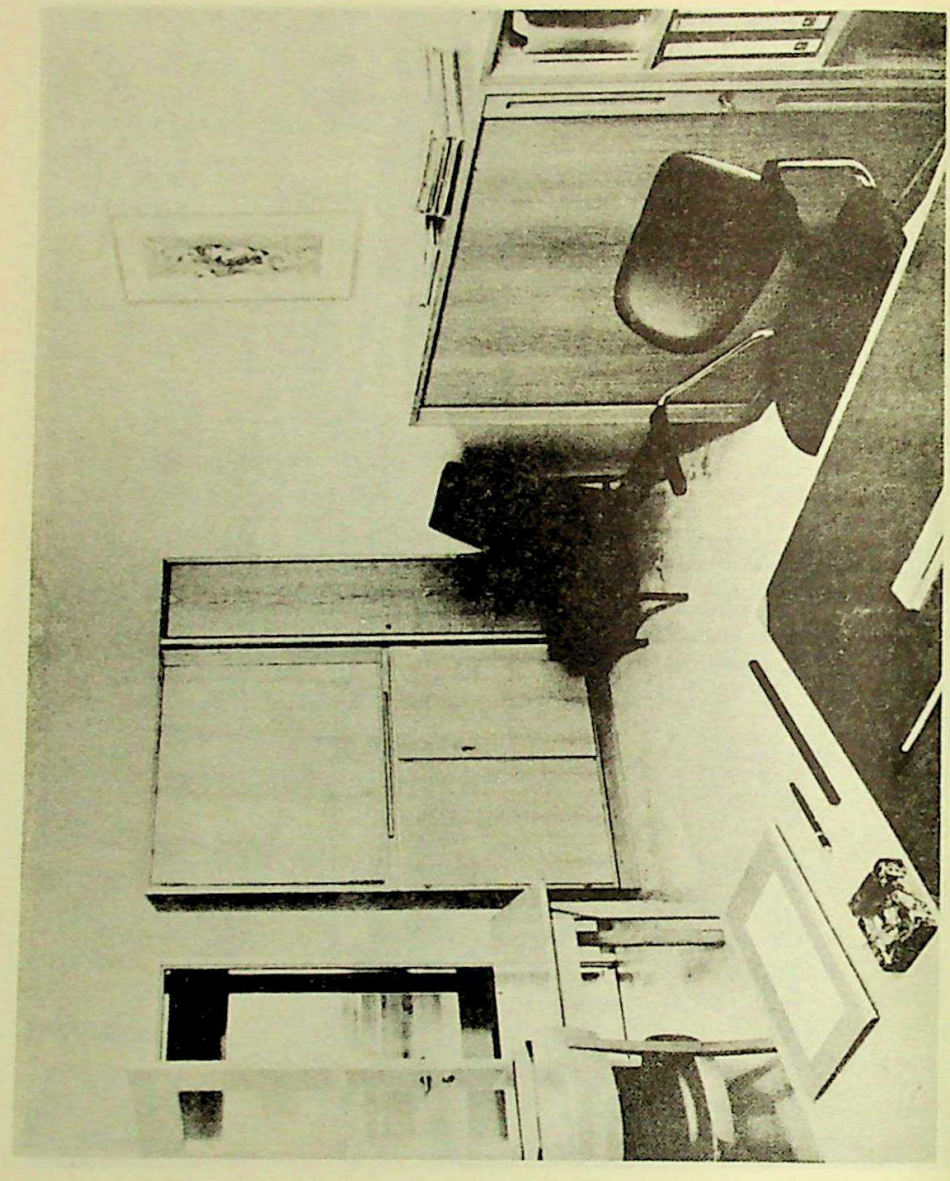

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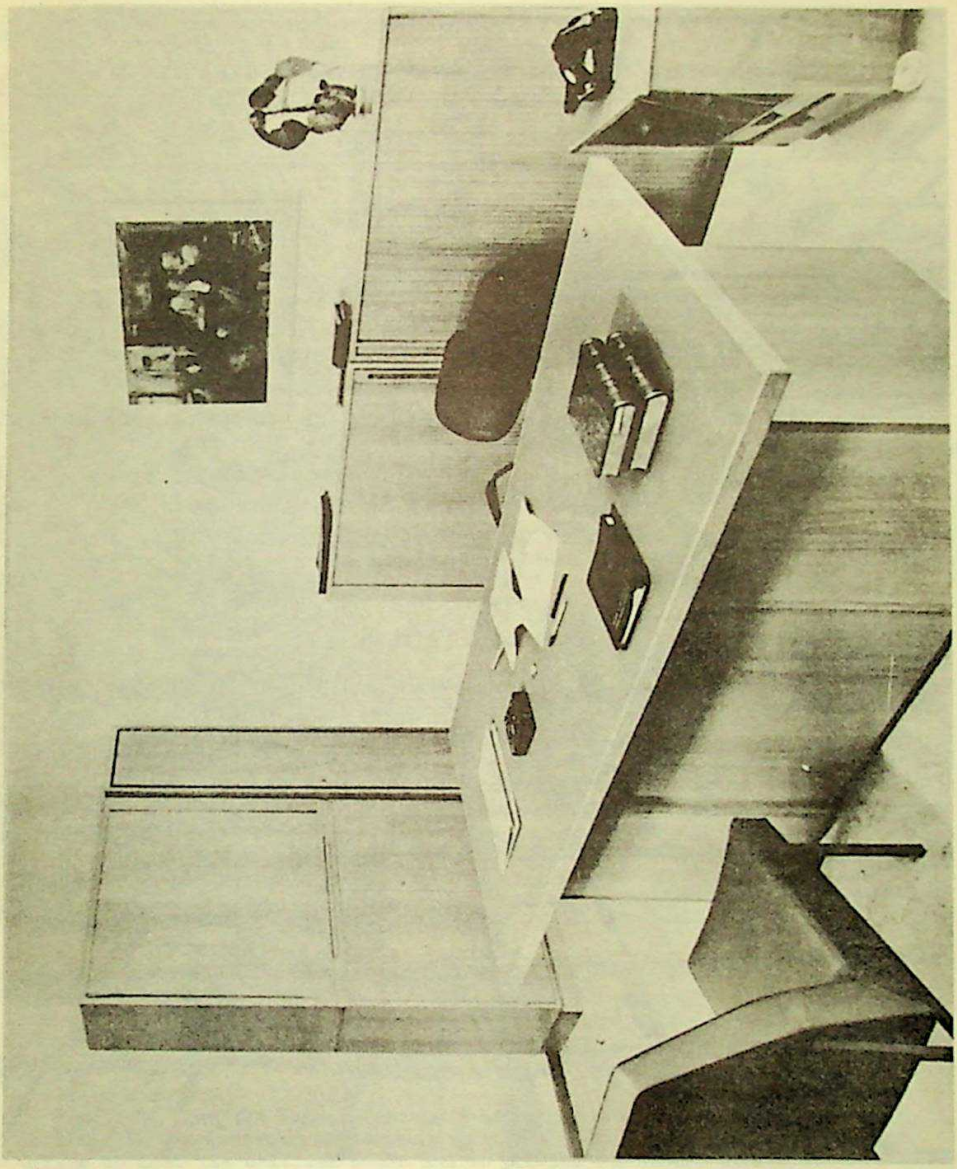

EXHIBIT 11

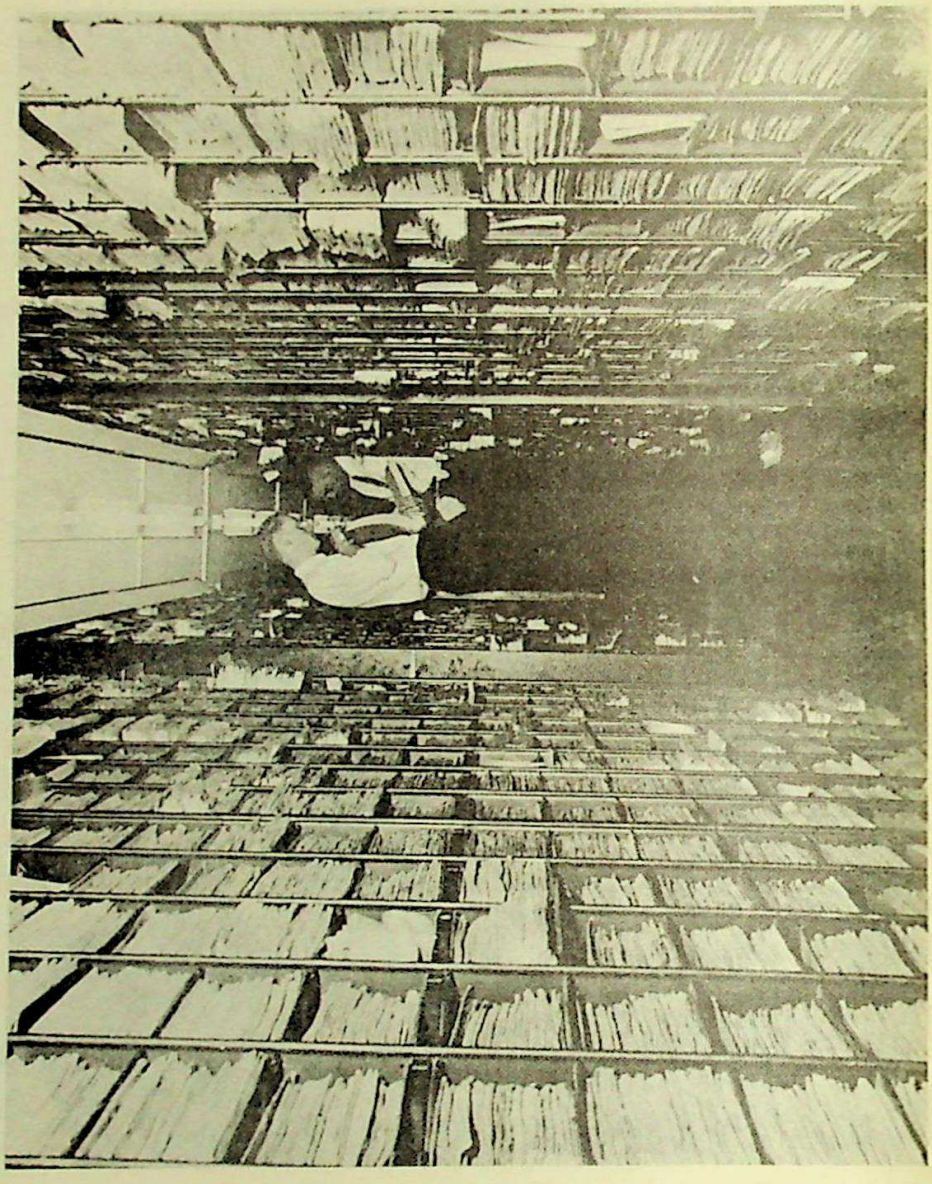

EXHIBIT 12

EXCERPTS (PAGES 221 THROUGH 226) OF THE PATENT OFFICE 1963 BUDGET HEARINGS BEFORE THE SENATE APPROPRIATIONS COMMITTEE

"SUMMARY OF COMMENTS IN PATENT OFFICE FILES ON NEW PHYSICAL FACILITIES FOR THE PATENT OFFICE"

February 6, 1962.

HON. CARL HAYDEN
Subcommittee on General Government Matters, Department of Commerce and Related Agencies, Committee on Appropriations, U. S. Senate, Washington, D. C.

DEAR SENATOR HAYDEN: The purpose of this letter is to inform you that the executive committee of the Patent Office Society approved the following resolution on December 21, 1961:

"Be it hereby resolved, That the Patent Office Society will support the policies and plans of the Patent Office directed toward the erection of a building suited to its needs at Langley, Va.; and be it further

"Resolved, That the Patent Office Society will undertake all appropriate activities and will use its influence and good offices wherever possible in its efforts to obtain said new building."

This resolution was adopted after a poll was taken to ascertain the opinion of the active members of the society. Approximately 90 percent of the members believed that the contemplated plans to erect a building suitable to the specialized needs of the Patent Office at the Langley, Va., site would best serve the interests of the Patent Office in its duty of administering the patent laws. It was believed that such a building in the designated location would be highly influential in stabilizing the professional staff, in creating an atmosphere of career service and in assisting in the efficient administration and management of the Patent Office.

In accordance with this resolution, Secretary Hodges and Commissioner Ladd have been informed that the society would assist them in every way to implement the proposal. In addition, 32 patent law associations throughout the country were requested to join the society in this project.

Sincerely yours,

CHARLES F. GAREAU

RESOLUTION

(Passed at May 15, 1962, annual meeting)

It is hereby
Resolved, That the Patent-Trademark-Copyright Section of the District of Columbia Bar Association advocates a suitable housing facility for the Patent Office to meet its critical needs and to provide for future expansion:

That such a suitable housing facility requires a new Patent Office building tailored to Patent Office operation needs.

That a reasonably accessible and sufficiently large site within the District of Columbia is preferable and highly desirable for the location of such new Patent Office building.

That a continued and determined effort be directed to locating such new Patent Office building within an accessible area in the District of Columbia.

That a site outside the District of Columbia, but within the Metropolitan Washington area, should be selected only as a last resort to avoid unreasonable delay in the completion of such new Patent Office building and to assure efficient operation, provided such site within the Metropolitan Washington area and outside the District of Columbia is reasonably convenient for the many visitors to the Patent Office and realizing certain problems are yet to be resolved relative to such site.

3. Letter of July 12, 1962, from Senator Willis A. Robertson, of Virginia, to the Honorable Luther H. Hodges:

"Forwards with 'endorsement and approval' letter of July 11 from friend and constituent, Hon. Charles R. Fenwick, 'in which he gives a number of cogent reasons why it would be desirable for the Government to build a new office building for your Patent Office on land owned by the Government adjacent to the CIA Building at Langley.'"

Letter of February 5, 1962 from J. Vaughan Gary, Member of Congress, of Virginia, to Hon. Luther H. Hodges:

"Indicates that Patent Office would be welcome again in Richmond, Va., where it was located during World War II."

Letter of July 13, 1962, from Joel T. Broyhill, Member of Congress, of Virginia, to U. S. Patent Office:

Attaches letter of July 12, 1962, from Alfred W. Gardner, Old Dominion Corp., builders, contractors, 926 North Randolph Street, Arlington, Va., to the Honorable Joel T. Broyhill, Member of Congress, favoring Langley, Va., site as "an excellent location for the Patent Office," and states that "any assistance you can properly render toward accomplishing the objective stated in the enclosure will be appreciated."

4. Expressions of opinion from the bar:

Letter of February 22, 1962, from Clifford L. Sadler, secretary, the Michigan Patent Law Association, Ford Motor Building, Dearborn, Mich., to the Honorable Luther H. Hodges:

"Advises that 'at a recent meeting of the Michigan Patent Law Association, we unanimously voted to endorse and promote the proposed relocation of Patent Office facilities to a site located near Langley, Va.'"

Letter of March 28, 1962, from James K. Everhart, Jr., secretary, the Patent Law Association of Pittsburgh, to Commissioner of Patents:

Encloses certified copy of resolution the association unanimously adopted at its meeting on March 21, 1962:

"Be it hereby resolved, That the Pittsburgh Patent Law Association favors the erection or acquisition for the Patent Office of a new building having fully adequate space for its intended purpose, including parking space for the employees and those making use of its facilities; and be it further resolved that if a suitable location for such a building is unavailable in the District of Columbia, then the proposed site at Langley, Va., will be acceptable."

Letter of June 29, 1962, from James P. Hume, president of the Patent Law Association of Chicago, to Commissioner of Patents:

"Advises that the Patent Law Association of Chicago supports 'efforts to obtain improved facilities,' and approves plan 'to locate facilities at Langley, Va., unless a better site is obtainable.'"

Letter of May 22, 1962, from George J. Harding 3d, president, the Philadelphia Patent Law Association, to Commissioner of Patents advises that the Philadelphia Patent Law Association, at its annual meeting on May 17, 1962, passed the following resolution:

"Resolved, That the Philadelphia Patent Law Association recognizes the inadequacy of the present quarters occupied by the Patent Office and approves and favors the efforts of the Commissioner of Patents to obtain a new building for the Patent Office which will give adequate space for its facilities at such location as in his judgment will be most suitable and convenient for the Patent Office staff and for inventors and their authorized representatives having business with the Patent Office."

Letter of March 20, 1962, from Gordon C. Mack, 1136 Second National Building, Akron, Ohio, to Commissioner of Patents:

"Congratulates Commissioner on 'new spirit' in examiner corps. States personal position as 'very critical of the proposal that we have a new building,' and cites fact that at a regular meeting of the Cleveland Patent Law Association, March 15, 1962, a motion favoring the erection of a new building was 'overwhelmingly defeated' for a variety of reasons. States that he has no official position in the organization."

5. Expressions of opinion from others:

Letter of February 5, 1962, from Albertis S. Harrison, Jr., Governor of the Commonwealth of Virginia, to Hon. Luther H. Hodges states that:

"The Commonwealth of Virginia would welcome within its borders an old line agency such as the Patent Office, and as its chief executive, I assure you of my fullest cooperation in obtaining this objective."

Letter of July 23, 1962, from Francis L. Koenig, President, McLean Business & Professional Association, McLean, Va., to the Honorable Luther H. Hodges states that the association at a regular membership meeting on July 17, 1962, unanimously voted to welcome and invite the Patent Office to locate in the McLean area of Virginia.

Resolution by Fairfax County Chamber of Commerce, Jesse Building, Fairfax, Va., adopted by the board of directors, February 6, 1962:

Resolved, That the Fairfax County Chamber of Commerce recommends the selection of the Bureau of Public Roads site at Langley for the new home of the U. S. Patent Office and urges the agencies and officers concerned to take appropriate steps to bring about this action * * *."

Letter of March 28, 1962, from Clive L. Duval, 2d, president, McLean Citizens Association, P. O. Box 273, McLean, Va., to Hon. Luther H. Hodges: states that the Langley-McLean area has always been planned and has developed as an attractive one-family residential community, and that "the community and our citizens association has always opposed the introduction of apartment houses, such as those now proposed for the Auchincloss property, and other high-density land uses in our area." Expresses concern over reported intention to move the Patent Office to Langley.

Letter of February 27, 1962, from Samuel E. Neel, 4702 Chain Bridge Road, McLean, Va., to Honorable Luther H. Hodges: favors the turning over of unneeded property in the Langley area by the Bureau of Public Roads to the National Park Service, and states that "the Bureau of Public Roads site is the last place any more Government offices should be located."

Letter of April 24, 1962, from Knox Banner, executive director, National Downtown Committee, Inc., 711 14th Street NW., Washington, D. C. to Mr. John Prince points out: "the likely availability of at least two good sites in downtown Washington adequate for the projected needs of the Patent Office." These "possible sites would be available through the carrying out of the Action Plan * * *."

Letter of January 23, 1962, from Chauncey P. Carter, 4400 Klingle Street, Washington, D. C., to Hon. Luther H. Hodges states that Patent Office is "eminently deserving of a separate building or sufficient space in an existing building," but that administration of Trademark Act should be separated from the Patent Office and set up at 1801 K Street or in space in the Commerce Building.

Letter from Fred Lichtgarn, 34 Franklin Street, Northlake, Ill., to Commissioner of Patents: Cites availability of 79 acres of land adjacent to Hines Memorial Hospital which Government has declared surplus. States belief that Patent Office would operate better outside the Washington, D. C., area, and noted that Chicago is a more central location for the patent attorneys of the United States than Washington, D. C.

Letter of March 14, 1962, from Myron E. Click, of Marshall, Wilson, Click, & Yeasting, 501 Libbey-Owens-Ford Building, Toledo, Ohio, to Commissioner of Patents: states that the need for a new building to house the Patent Office is "obvious" and that he is "in complete accord with your efforts in that direction."

Letter of December 12, 1961, from E. J. Balluff, 3153 Penobscot Building Detroit, Mich., to Hon. Luther H. Hodges:

"As an attorney who has specialized in patent work for almost 30 years, I should like to urge you to do what you can and to give the most serious consideration to the project now under consideration of a separate building for the Patent Office. I understand that some consideration is being given to a site for the Patent Office at Langley, Va. All things considered, I think this site would be an excellent site for new Patent Office facilities, and I should like to go on record in support of a new Patent Office building at Langley, Va."

EXHIBIT 13

U. S. DEPARTMENT OF COMMERCE

Patent Office

Conference on

PROPOSED BUILDING FOR THE PATENT OFFICE

Room 5859,
Main Building.
Department of Commerce
15th & Pennsylvania Ave.,N.W.,
Washington, D. C.

Monday, 3 December 1962

The Conference was called to order at 3:00 p.m., Chairman David L. Ladd, Commissioner of Patents, presiding.

PRESENT:

DR. J. HERBERT HOLLOMON, Assistant Secretary of Commerce.

HERBERT W. KLOTZ, Assistant Secretary of Commerce.

EZRA GLASER, Assistant Commissioner.

D. R. ELLIS, Head, Budget and Finance, Patent Office.

L. W. Armstrong, Honeywell EDP, 1801 No. Moore Street, Arlington, Virginia.

W. F. Brackman, Gillette Company, Boston, Massachusetts.

R. D. Ogg, Danforth/White, Portland, Maine.

W. Feldman, Eastman Kodak, Rochester, New York.

H. Printz, Eastman Kodak, Rochester, New York.

W. E. Schuyler, Jr., Washington, D. C.

Lawrence B. Biebel, Dayton, Ohio.

Joseph Grey Jackson, Wm. Steel Jackson & Sons, Philadelphia, Pennsylvania.

Charles Fenwick, Virginia State Senator.

PRESENT (continued):

L. R. Mayers, General Electric Company, New York, N. Y.

Louis Wolk, Merck & Co., Rahway, New Jersey.

Earl W. Kintner, Management Survey, Washington, D. C.

John C. Snell, Xerox Corporation, Washington, D. C.

C. D. Stores, Esso Res. & Eng. Co., Washington, D. C.

James P. Hume, Chicago, Illinois.

Leon L. Usherson, National Cash Register Co., Washington, D. C.

Charles Kukulka, Polaroid Corporation, 730 Main Street, Cambridge, Massachusetts.

Cyrus S. Hapgood, New York Patent Law Association, New York, New York.

David S. Kane, American Patent Law Association, Washington, D. C.

Charles Benton, Jr., IBM, Washington, D. C.

D. D. Kirsch, UNIVAC, Philadelphia, Pennsylvania.

Paul Bleman, UNIVAC, Washington, D. C.

G. P. Rothwell, Washington, D. C.

Charles R. Jansen, Washington, D. C.

F. Deen Evans, Philco, 808 17th St., N.W.,Washington, D. C.

R. C. Gunderson, Control Data, 4429 Wisconsin Avenue, N.W., Washington, D. C.

A. C. Schmitt, RCA, 1725 K St., N.W., Washington, D.C.

Theodore D. Lassagne, L.A.&S.F. Patent Law Associations.

R. M. Hermes, Standford Research Institute, Menlo Park, California.

Reynold Bennett, N.A.M., 2 East 48th Street, New York, New York.

Maurice W. Connell, Conax Corp., 2300 Walden Avenue, Buffalo 25, N.Y.

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DR. HOLLOMON: My name is Hollomon. Good afternoon. I am Assistant Secretary of Commerce and I want to welcome all of you who have taken the trouble and I am sure "discombobulated" your schedules to be with us today.

I want to thank you for your effort and hope that you will with us, help to solve some problems, which now face us with respect to the Patent Office and its future. Those of us in the administration having some responsibility for the Department of Commerce and the Patent Office, have felt for some time as your Commissioner has felt and as Commissioners before him have felt that one of the vital, necessary elements of a successful program in the Patent Office was to have adequate facilities.

Since my appointment as Assistant Secretary, I have been generally responsible for the policy questions concerning the Patent Office and I have become convinced that among the severe limitations under which we operate are relatively inadequate facilities in the way of office space and related equipment.

During the last year we have performed an enormous number of studies of one sort or another to determine, A, the basic needs of the Patent Office for office space and general facilities for storing, serving and evaluating its patent and general technical literature. Secondly, we have investigated various cities at which a patent office might be located.

And thirdly, we have discussed with outsiders and personnel of the Patent Office certain factors that need to be taken into account with respect to location and the character of a patent office facility.

Now we have reached a place where we are deeply concerned about the future and the whether, when, and what kind a facility we should recommend. We are today seeking your advice and counsel concerning the course with which we should follow. We are not here to make specific proposals to you. We don't have a specific proposal. We are here to lay before you the various factors involved in the selection of a Patent Office building and various factors which will be influential in deciding when, what and if we should build. We are here today to seek the benefit of your experience on this matter so that we can make better recommendations to the Administration and thence to the Congress.

Nothing will be decided today.

Furthermore, whenever we do make a recommendation or the Administration makes a recommendation, you will have still further opportunity to comment and certainly you will

have the opportunity to comment through the hearings of the Congress at which, finally, the decisions will be made.

So to summarize: We are deeply concerned about the future of the Patent Office in terms of the facilities that serve it. Secondly, we are here asking your counsel and advice, and thirdly we will make no decisions concerning the matter today.

Now, in our considerations of the future home and the kind of facility we need, we have always considered that a building adequate to meet the needs of the Patent Office is the first requirement.

Secondly, that the location of the Patent Office should be such as to be able to effectively carry on the functions of the office and to meet the requirements of its personnel and its clientele.

The Commissioner has felt very strongly that we needed some immediate action with respect to a new facility. We have recently learned, as a result of various studies of committees and agencies that have recommended action to the President, that the Patent Office is not sufficiently up on the list of priorities, and that the policy with respect to the development of metropolitan Washington as an urban center is such that a new Patent Office would not fall within the Administration program for at least the next couple of years. By this I mean the planning money for a new patent office.

This would mean that occupancy of a new Patent Office building would be delayed for at least three or four years after that or another half dozen years from now.

Mr. Prince is here and will speak to you in a few moments. He will describe to you the background and the criteria that have been laid down for the development of Washington and the local metropolitan district, so as to give you some background of the policy within which a decision has to be made with respect to the Patent Office.

So, we are faced with the following dilemma as we see it: If the need for a new Patent Office is as great as we believe it to be -- and we also think it ought to be within the Washington metropolitan area -- then we are faced with the impossible situation that we cannot have our cake and eat it. If we are to make the recommendation for a new Patent Office immediately, it cannot be in Washington, and the only way it could be in the downtown Washington area according to the pre-guidelines, is to delay for some indefinite period the recommendation for a new building. Thus as we see it, as far as our recommendation to the Administration is concerned, we are faced with the following set of alternatives:

First, to delay the planning for a new Patent Office facility for at least several years in order to obtain such a facility in the downtown Washington area.

Secondly, propose that we plan a new Patent Office facility somewhere outside of Washington, and you will hear more discussion of this in a moment, but within commuting distance of Washington and perhaps be able to make these plans immediately;

And thirdly, consider the possibility of having a Patent Office removed completely from the Washington area and put in some other area of the country.

Now obviously the last alternative involves major changes with respect to the office personnel and with relations with the patent bar, for example.

We are not here to seek decisions as to which of these alternatives we should follow, I should like to reiterate, but rather to seek the information which can only come from the specialized public generally as to how we should proceed.

During this same period in which we should be considering and building a Patent Office, advances are being made in the technology of literature searching, information storage and retrieval, and information display, which need to be taken into account and may offer very real advances to a new facility, Commissioner Ladd and his people will describe some of these opportunities to you.

I should like to ask you whether you have questions not on the details of the subject, but on the purpose of the meeting before we proceed into any of the details of the various factors that are involved.

Are there any questions as to the purpose and character of the meeting?

(No response.)

DR. HOLLOMON: Any questions at all on the matter?

(No response)

DR. HOLLOMON: At this time I would like to ask Mr. Prince to describe to you the conditions and criteria for locating a public building within the Washington area and its environs.

Mr. Prince:

MR. PRINCE: Good afternoon gentlemen.

It will take me only a few minutes to report to you what I have here concerning the Administration's criteria with respect to location of new office space facilities in the downtown Washington area.

The President appointed an ad hoc committee on August 4, 1961, chaired by the then Secretary of Labor Goldberg, to survey the government's immediate and long-term space needs and to report back to him. The report was approved by the President in the latter part of May, 1962.

Now we wonder how this report effects the construction of a new Patent Office building. This is it.

There are two sections to that report that vitally affect the decision and determination as to where a Patent Office building would be located if one were approved.

One section of it, established priorities for meeting the critical needs. These priorities ranked Justice, Labor, Defense, State, Interior, and then, Commerce in that order. Obviously if these were to be the priorities under which the buildings in downtown Washington would be built it would take sometime to work the priorities off.

The second section deals with this. There are certain criteria for decentralization of government activities versus the need for centralization.

In that connection, I would like to read briefly what the criteria are for decentralization.

"A function is presumed to be susceptible to decentralization when it is engaged in operations to carry out established policies and programs within well defined areas, such as administration of research and development contracts, and industrial and commercial activities, and requires only limited headquarters supervision.

"It provides large-scale supporting services of a relatively repetitive or routine nature, such as (1) records maintenance; (2) procurement and inventory control; (3) training, including the operation of schools; (4) public works and maintenance, including administration of real property and related engineering services; (5) financial accounting and disbursing activities; and (6) statistics and data collection and related fact-gathering and processing operations.

It operates in a relatively self-sufficient manner having only limited intra- or inter-agency day-to-day working relationships.

It requires close coordination with other governmental (Federal, State and local) and non-governmental activities within a given geographical area.

It requires close coordination or working relationships with other Federal activities which are also susceptible to decentralization and could be moved to a common location outside of the National Capital area.

Small liaison offices in Washington could meet headquarters needs.

It consists of administration of functions in a particular region or other limited geographical area.

It is a direct service or other governmental function affecting citizen-clients in local areas of the country which can be administered in accordance with uniform national policies."

There are a couple of others but they are not really significant.

Finally, very recently the President committed the Administration to support a plan called the Year 2000 Plan for the development of the Washington metropolitan area, and directed all federal agencies to be guided by this plan. I don't know whether any of you have ever seen it or not. It is a very elaborately conceived, well-thought-out plan for developing the Nation's Capital over the next 40-odd years. I won't attempt to read all of these pages to you, but there is one section that is significant.

Policies for the year 2000. The statement of policies recommends: -- remember, the President has committed this Administration to try to follow this plan as nearly as possible in the development of the metropolitan area of Washington-- "the creation of relatively compact, well-planned suburban communities.

"The concentration of new communities in corridors radiating from the central city.

"The greater reliance on mass transportation. Limiting the freeway system largely to the routes already planned.

"Growth of the employment concentration in Metro-Center, but with two-thirds of all new federal employment to be located elsewhere than within the region-B," that means outside the immediate area of downtown Washington or District of Columbia.

"The renewal of most of the original city of Washington. No increase in population within the District of

Columbia, but the attainment of quality and individualities for each of its communities. Steps that can be taken to implement the above recommendations within the pre-framework of the government and within means available are in the making."

Now, we think that within these guidelines and in view of the decisions that have been made, the Patent Office just can't be built in the immediate foreseeable future-- at least as we see it now -- in the immediate downtown area of Washington. So these are the alternatives that we have to work against, the framework and backdrop against which we are here to discuss what we can do or recommend on building a new Patent Office.

DR. HOLLOMON: Mr. Prince is Deputy Assistant Secretary for Administration, and, in the rear, Assistant Secretary Klotz is here also to observe; and if he has anything,he will contribute.

Do you have anything to add?

MR. KLOTZ: I think Mr. Prince stated it very well.

DR. HOLLOMON: He and Mr. Prince are generally responsible for resources for the Department. Mr. Prince is Deputy for Assistant Secretary Klotz.

Do you have any questions concerning the problem of the location of the Patent Office, rather than the details of the information? In other words, I would like to do this by steps, that is, to indicate why you are here, and then essentially to define the problem and then again to develop the information having to do with the problem.

As we see it, the problem is, if we wish a new Patent Office and begin to plan now, we may not plan it for downtown Washington. That is the first problem. The alternatives are (1) outside of Washington, in a suburban area, (2) removed from Washington for a substantial distance, or (3) fully removed from Washington into some other metropolitan area.

These are the three alternatives.

MR. MAYERS: You use the word "decentralization" as part of the Goldberg report. I wonder what the definition of decentralization is in a geographical sense. Was the report talking about a restricted decentralization from the metropolitan Washington area, or did it mean a decentralized spread throughout the United States?

MR. PRINCE: This is a complete decentralization, throughout the United States.

DR. HOLLOMON: Insofar as it is possible.

These are the criteria to indicate decentralization: the maximum being throughout the whole of the country.

Are there other questions on our problem?

MR. CONNELL: Mr. Prince mentioned there were several catagories. I am not sure what category the Patent Office would fall into. If this becomes a service group, the Plan 2000 would automatically put it in suburban Washington.

DR. HOLLOMON: I think that one of the questions we will be discussing a little later is what criteria does the Patent Office meet with respect to decentralization. But if there are no further questions on the general nature of the problem, I would like to introduce to you Commissioner Ladd, who will preside from here on. I hope there will be some following presentations of background information and general discussion of the problem, so that you may advise us how we might best proceed.

COMMISSIONER LADD: Thank you very much. I am very grateful to you for coming.

After I speak I am going to preside over the discussion.

The fact that I, personally, feel that the Patent Office needs a new building, and needs new accommodations for its people, is no surprise to many of you who are in this room. I have discussed the problem and the need in various forums over the United States. The fact that this need has also been acknowledged by the President's Committee, to which Mr. Prince has referred; the fact that it has been acknowledged by Secretary Hodges in testimony before the Appropriations Committee of Congress, and the fact that it was acknowledged as absolutely fundamental to any long-range improvements in the operation of the Patent Office in the Kintner Report, all substantiate this need.

I don't think there is any argument about it, and I don't intend to spend much time on it.

Mr. Kintner, who was Chairman of the team which prepared the study of the Patent Office, is here today. I invited him to come in his own self-defense, because I am going to quote him.

Before I do this, this forum gives me the opportunity to acknowledge my very deep gratitude to him for the contribution which he has made to the Patent Office and, I think, to the government in undertaking the considerable responsibility of managing the entire management survey. As a matter of fact, there is nothing too strong or too lavish I can say to acknowledge my indebtedness to him.

This is an excerpt from the Kintner Report:

> "All factors considered, it is my conclusion that only the construction of a new building designed for a Patent Office use would offer the permanent solution needed for its heretofore chronic inadequacies of space and facilities. Such a building should provide for reasonable amount of future growth, and be so designed and located as to permit enlargement to accommodate further growth.
>
> "In treatment of this problem, it is of more than a passing significance that most of the leading European countries -- Russia, Germany, Denmark, Switzerland, England, Finland -- have found it necessary to provide buildings architecturally suited to the unique requirements of a patent office. The United States, leader of scientific and technological advancements, could afford to do no less.
>
> "The urgency of getting started now is underlined by the fact that occupancy of a new building is perhaps four or five years away under the best of circumstances of progress on authorization, planning and construction. In the interim, all opportunities for temporary relief, either within the Commerce Building or nearby locations, would need be fully exploited.
>
> "The actuality of necessary authorization for undertaking the construction of a new building, and the evidence of its progress towards reality, would serve in the interim period as a powerful asset to the Patent Office for laying the groundwork for needed improvements so heavily dependent on adequate space and facilities."

I read that not to try to indicate the position on the decision which should be made, but simply to underline the need. And I would also indicate very, very briefly that as far as I am concerned, I am not particularly interested in having a new Patent Office building simply as a handsome architectural addition to the United States. I am interested in it because, as many of you in this room know, we "enjoy"

-- in quotation marks -- a turnover of some 20 percent of our Examiners each year. Everytime an Examiner who has training in the Patent Office walks out the door, that costs us, as taxpayers, not less than $10,000. Moreover, it is, as you know -- and has been, for some time -- disruptive to the efficiency of our organization.

Very briefly on some statistics, our budget for 1955 was $11.5 million dollars. Our budget for 1962 was $24 million-plus. Employees in that time, however, have increased from 1500 to 2400, a 54 percent increase.

Our space has increased only 22 percent, and when you take into consideration the amount of space in our shop which has to go for active files -- they cannot be dead files; all of you patent attorneys know that -- there has been an increase of 7 percent of space as against a 54 percent increase in the number of employees;and that started from a base which was itself unsatisfactory.

Very briefly, we could compare now what the Patent Office has with what it would have to have to achieve decent housing by government GSA standards; not any fancy, flossy figures cooked up by someone who wants to make a palatial building, but GSA standards, and which has been considered adequate by a professional architectural firm.

As of now, talking in terms of the net space, we have 458,000 square feet. By GSA standards we would need 907,000 square feet of space today, not taking into account at all any provisions of expansion; and by the figures of the architectural engineering group that I have referred to, we would need, for decent housing today, 1,030,000 net square feet of space. So that underlines the need fairly well.

But those abstract statistics do not dramatize the picture as well as does the statement that these Examiners, all of whom have engineering degrees or science degrees -- the overwhelming majority have engineering degrees; some have advanced degrees and many have law degrees in addition to science degrees -- have, on the average, the surface of the size of the top of a Ping Pong table on which to work, and the vast majority of that space is not air conditioned, and the furniture in it is lousy.

And that is the need.

Obviously in thinking, as we have been over the past year and a half, about the needs for the office, we have given some consideration to what kind of building we will need, what kind of facilities will be required, what kind of additional services can be provided; and to that end Mr. Erza Glaser, who is the Assistant Commissioner of

Patents for Research and Development, has prepared for presentation and discussion to you today some of the possibilities that we visualize for a Patent Office of the future. When he has finished his presentation I will come back to the rostrum and then the meeting will be open to you.

We want to talk, I think, about the advantages and disadvantages of delay or no delay, and the advantages and disadvantages of various kinds of locations which are possible within the limitations which Dr. Hollomon has already explained to you.

At this point I would like to introduce, with great pride, Ezra Glaser, Assistant Commissioner of Patents.

MR. GLASER: Approximately five years are required to proceed from a firm approval of a Patent Office building to the time of occupancy. At various times during this interval, decisions must be made concerning the kinds of equipment that will have to be installed in the building. Decisions must also be made concerning air conditioning, dust proofing, temperature control, humidity control, soundproofing, and other characteristics of special areas.

Initial guesses very early in the schedule should suggest some of the goals in the planned replacement of presently conventional ways of doing business with more completely mechanized or automated systems. Examples are:

1. Machine assisted search through the technical literature by patent examiners and others;
2. Machine assisted display of the documents retrieved;
3. Remote interviews between examiners and patent attorneys with recordings and possibly CRT display;
4. Mechanical record-keeping of the status of each active application;
5. Statistical summaries of the status of applications and of the work load;
6. Further mechanization of the patent copy sales activity;
7. Further mechanization of preparation for printing patents;
8. Mechanization of the make-up of the Official Gazette -- for those of you from the equipment world, rather than the Patent world, the "Official Gazette" comes out weekly and it is about that thick (indicating). It is now set up by conventional methods by the Government Printing Office --
9. Further mechanization by the Patent Office of information-generating and information-processing activities.

I give you this list not because I am trying to be complete, but these seem to be at least the kinds of things suggestive of the state of the arts some five years from now and, therefore, worth looking at before the building engineers and architects come running around to ask what kind of special things are going into this building.

Early in the plans for construction, for example, it will be necessary to make some guesses about the ways in which essential technical information is provided to the examining staff. If paper documents are to be transported in pneumatic tube conveyors, this might require special features in the design of the structure. If we are to rely more on visual displays using cathode ray tube techniques, the pneumatic tubing would be replaced by electrical lines that might require shielding or other special characteristics.

The mechanization of patent copy sales would presumably result in substantial reduction in the number of offices, desks and related equipment necessary, as well as hall space, washrooms and so forth. Replacing this would be the need for space for photographic and reproducing equipment, and so forth, which again might require special building characteristics.

An item of special importance is the possibility of providing the building with the central equipment for a nationwide prompt search system which uses remote consoles for displaying images of scientific and technical documents.

It follows that a persistent problem will be the forcasing of the state of the art for a number of different kinds of mechanized or partly-mechanized activities. This will have to be done in a general way before the building design process. It will have to be completed as the plans and the actual building move forward, ending with the actual installation of purchased or rented equipment which meets the requirements for various systems of information handling.

Moreover, each of these forecast stages has a schedule which is an integral part of the planning and construction program.

We shall probably find it advantageous at various stages to enlist the technical assistance and advice of private organizations. The reliance upon private organizations will probably not be restricted to the demonstration of successful operation of their equipment. It is entirely possible that assistance will be sought in the design of systems, the development of special devices, and various other technical matters. This activity might begin fairly soon after the approval of the building program and continue in one form or another with various research and demonstration projects until

all of the equipment has been installed and shown to be effectively operating.

I would like to dramatize this by saying it would be catastrophic if we could accurately forecast the best that industry could provide in equipment for a new building and then freeze the characteristics -- space, access, and everything else -- to that particular stage of technology. A government building 20 years old is regarded in Washington circles as brand new. I would take it that twenty years after we occupied a new building there would be opportunity to use techniques, technologies, equipment, that had hardly been started on the occupancy date.

Plans, then, for mechanization cannot end at the time of occupancy of a new building. Rather, when the state of the art suggests an advantage, allowance should be made in the building plans for installation of equipment that is not expected to be ready at the occupancy date.

It follows from this that (1) a substantial amount of flexibility should be built into the building plans and program no matter how definite current plans might seem; and (2) some provision might have to be made for the operation of two systems at a time to take care of a situation where a promising technology seems to be forthcoming, but which is not anticipated to be available at the occupancy date.

The group that was invited to this meeting includes, among others, representatives of manufacturers of computing and photocopy equipment and developers of related information-handling technology. We wanted this group to have the earliest possible information concerning our approach to the problems of designing the most advantageous building for the Patent Office. It does not follow that purchase contracts or study contracts will be restricted to this group.

I presume that public announcements will be made at appropriate times so that all interested parties can become aware of the plans for the Patent Office building and of any business opportunities that these plans might seem to represent. However, it was believed desirable to gather the representatives of some principal business organizations at the very first meeting where these matters are to be seriously discussed. In this way, we hope to have maximum advantage of the foresight, imagination, and advanced planning of your organizations for the development of information handling and related technology that might be applicable to the building and the problems of the Patent Office.

If anyone wants to raise any question about this necessarily vague statement I have just given, will you

please identify yourself, ask a question, make a comment, reserving yet the general question of the location and proper time for the Patent Office building for the discussion under the Chairmanship of the Commissioner.

(No Response)

MR. GLASER: Let me ask, when we get into our discussion, that for the benefit of our stenographer that in each case you identify yourself before you speak, even if I do know you well.

MR. JACKSON: Joseph Gray Jackson, Philadelphia.

I have a question which is sort of like this: which comes first, the hen or the egg? Do you have to have a general location approved or agreed upon before you can get definite approval of the building? - and, No. 2: Must this be a specific location?

COMMISSIONER LADD: Well, fortunately there are a number of people here that can answer many questions like this which I cannot answer in a surefooted manner. It is my impression you must have a site before the construction money --

MR. HOLLOMON: We tried the other approach and we failed. We are now prepared to have a definite location and certainly, before this would be included in the planning program of the GSA, The General Services Administration, We would have to have a specific site. Naturally the first question that Congress would ask is, "Where are you going to put it?"

So if you don't have to have it now, you would certainly have to have it by January in any event. You must be relatively well prepared.

COMMISSIONER LADD: We have to weave together, because of the complexity of this group, a number of disparate interests. There are some people here interested in what they can contract or what they can sell when such a new building is constructed. There are other people who would be concerned with the hardships on the Bar or the practitioners before the Office, if the Office would be located somewhere other than downtown Washington.

Feel free to express opinions at this time, because the very fact you express opinions which some of us are very familiar with will act as a stimulus to other people.

Mr. Rothwell: would you care to identify yourself and express the results of the investigation which was made by your Bar Association, and what your opinions are, either officially or unofficially, on this?

MR. ROTHWELL: Frank Rothwell, Washington.

I am presently chairman of the Patent Section of the D.C. Bar Association, and the Commissioner was kind enough to present the plans in a very embryonic stage to us last January. Everybody had an opinion so we made a study of the possibilities and what was known at that time. I am sure things have gone a lot further by now.

But we had a vote at the annual May meeting on a resolution in which it was the general consensus of the local D.C. lawyers that they would rather have the Patent Office downtown. That consensus of opinion is not to say they would wreck the whole patent system to have it downtown. All things being equal, they could stand a short delay to have it downtown.

The question is: What is a short delay?

But the factors that enter into it keep changing. The Year 2000 plan had not been officially backed by the President at that time. There was downtown, a privately sponsored group, "Downtown Progress," which had done some work on downtown sites and land taking, which had consideration. That is, just local people in general would like to have it downtown if possible.

MR. HUME: James Hume, Chicago.

I would like to comment, but before I do I would like to make sure my understanding of the facts we received is correct: Under the alternatives, we were told the immediate outlook would require a location outside of Washington. I think the terms were, "Suburban Washington," and the other, "far removed." Is this being farther away than we have been considering in the past?

COMMISSIONER LADD: To be specific, about Langley. It would be farther away than that; yes.

MR. HUME: It would not be the Langley consideration?

COMMISSIONER LADD: That is correct. We are now away from that. I might explain that the concern in Washington I think within the Administration and within Congress certain Congressmen are very sensitive to this, is the amount of building which is going on inside the District. Consequently, they have established priorities for building within the District and indeed within the immediate metropolitan area.

You also heard Mr. Prince talking about the policy considerations which underlie an effort at decentralization. While I think this is not absolutely dependable -- and if anybody here has more accurate information by all means let's have it -- my impression is that his would be not less

than 25 miles from Washington. The telegram which went out to you used the expression "ready access of the circumferential highway".

First of all, you have to decide whether you are willing to take the chance of letting it go outside the District of Columbia as a price for getting the whole project expedited into the coming fiscal year.
Secondly, assuming that you are willing to pay that price, there is a question of how distant a location from Washington would be acceptable. Bear in mind that I have used the figure of 25 miles from Washington. That figure has no official sanction. But using it as a rule of thumb, would a site between 25 and 40 miles be acceptable; or on the other hand, is a new building for the Patent Office considered so pressing that the distance from Washington for the potential site is immaterial. Say, would a site in Chicago, San Francisco, Dallas or the like be acceptable?

You look puzzled.

MR. HUME: No, I want to make a comment.

I was mindful of the fact that the Chicago Patent Law Association had advised you, as the Commissioner earlier this year that it supported your program for a location, for a new Patent Office, and that it would approve the Langley site in the absence of any better site. I think that is the way they put it.

I think the general consensus throughout the country is along that line. I don't think there was as great feeling in the Chicago Patent Law Association that a removal from the central area of Washington would be very detrimental. They may not be well informed on this. I think they were concerned about the needs and timeliness of getting going and that sort of thing and they felt a displacement such as Langley would not be detrimental or unfavorable in the light of the good that it would yield.

If you are talking about something that we can't speak of or think of in that light, and I understand we are --

COMMISSIONER LADD: That is correct.

MR. HUME: I think the attitude of my group would be directly proportionate to the difficulties that exist in what comes out.

COMMISSIONER LADD: Permit me to thank you and the Chicago Patent Law Association for your concern and for the careful attention you gave to the need for a new Patent Office building. And secondly, let me make this clear, also. What

we are talking about is much more serious than moving to Langley, which is what I have heretofore mentioned.

Let me also make it clear, that regardless of what decisions are ultimately made, I would never rely upon the expressions of support which have been given for the Langley site as estopping or giving a precedence on a position for a move of the nature we are talking about now. There is a difference in degree. But a substantial difference in degree. That is why this discussion is open.

MR. KANE (American Patent Law Association): I am wondering as I listen to this, whether a selection of a site is an irretrievable step. Once the site has been selected, is that the site which stays with the project for all time, or is that in turn subject to review at a later time?

MR. PRINCE: I think I will make this comment, Mr. Kane. We have to go before the Congress for money, for planning money initially, but at the same time the procedures are that we ask for money for a site location. The two go together. Now, if we selected a site, and it was approved and money was authorized and put into the budget for it, and later on we decided here is another site which is just as good, and would serve our purpose just as well, and everybody is willing to move and change the site, within the same money, I suppose it could be done. But let me say this: In my 24 years around here I have yet to see this happen.

MR. KANE: I am mindful of the CIA site. Wasn't that first set up for Lafayette Square and then moved someplace else?

MR. PRINCE: I don't remember the initial site.

MR. KANE: It seems to me that is where it started. It seems to me if we have to decide on a site and live with that for all time, that is one thing, but if we can decide on a site now and at the same time when it comes up before Congress, if there is any flexibility, we can reconsider, that gives it quite a different complexion.

COMMISSIONER LADD: I can make this statement. I do know that Senator Holland -- and it is not at all clear that the appropriation which underlies this construction would go to his committee - is very much concerned about the location of the site. That is a matter of public record. If you will read the Appropriations hearings on the Patent Office site at the last session, Senator Holland inquired at some length about the proposed building for the Patent Office, particularly about its site, and had put into the record a summary of correspondence which we had received here. So I can make that observation.

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MR. FELDMAN: For one who is not a patent attorney, I should like to ask a question. Could you state in fairly objective terms what might constitute the justification for having the Patent Office in the D.C. area?

COMMISSIONER LADD: There are a number of people here who could make that statement more effectively and, no doubt, more objectively than I can.

Frank, would it be imposing upon you to ask you to summarize the arguments?

MR. ROTHWELL: I am afraid I am not eloquent enough to do the job I might like to do. It seems so inherent to me that I don't see any arguments for moving it away. One thing, the Government has a large number of skilled and technically trained examiners, probably a thousand or so. A number of Government agencies that have moved away from Washington where they have highly skilled people who have settled down and bought homes and so forth, have ended up losing a good percentage of them. Personnel is already one of the big problems and staffing a new Patent Office from scratch, or even forty or fifty percent of it, would be practically impossible. And there are a number of other reasons, good and bad. One would be the large number of visitors who use the Patent Office, not only the attorneys but even the tourists, for promotion of the patent system.

COMMISSIONER LADD: The relationship to the courts is often named and also the accessibility to advanced education.

MR. ROTHWELL: You would have to go through and rewrite the whole patent code, it would seem to me, if you moved to a very remote location.

COMMISSIONER LADD: Let me make this point. One of the things which can be considered even under the canons which Mr. Prince read to you is the retention of part of the facilities of the Patent Office and, for example, maintaining the official residence of the Commissioner, in Washington.

For example, one of the possibilities we would consider, I am sure, is the retention in Washington of a search room, the Office of the Commissioner, and perhaps the Board of Appeals, the Board of Interferences, the Trademark Trial and Appeal Board, and perhaps some others. These units compared to the total amount of space which is required for the examining divisions, are of course, negligible. That is one possibility.

Frank, do you have anything else to add?

MR. ROTHWELL: The fact that the large number of examiners go to law schools and so forth, and there are a large number of them in washington. Of course, there are other cities in the country that have afternoon law schools, but that is another factor.

Mr. JACKSON: Lawyers are understandably concerned about the long-term attitude regarding unauthorized practice in a foreign state.

COMMISSIONER LADD: That raises a very important point which will very likely be resolved by the Supreme Court of the United States, because the Sperry case is up on certiorari. This is an interesting point I think we should all be aware of. But, I think we agree, Joe, we don't have to spend a lot of time on it.

There is a question of whether the people should be members of the Bar in order to engage in the preparation of patent applications and other work generally associated with practice before the Patent Office. One state has held in effect yes, and another state has held in effect, no. And the case that held yes is now up on certiorari before the Supreme Court on merits.

I want to give Mr. Kintner the opportunity to make remarks, if he cares to but first I might make this observation. Regardless of what decisions ultimately are made in light of all the facts, including those which are developing in this discussion, you should know that once before, during the war, the Patent Office was almost in its entirety moved to Richmond. That created severe hardships and in some cases, substantial financial losses to our employees.

The staff which we have is almost uniquely adapted to the work of the Patent Office. It would not be possible simply to move the Office to Billings, Montana; to rely upon a certain number of people to move, and confidentally expect to hire off the streets the people to take the place of those who did not. Because of the kind of personnel we have and the kind of unique practice and procedures we have, that would simply be impossible.

What this suggests is: assuming the ultimate decision were made that a recommendation should be made for a building under the limitations we have previously discussed, in the District of Columbia, there is something to be said for trying to keep it as close to Washington as possible. That is one side of it.

I have no doubt myself, for example, that if the Patent Office were moved a substantial distance from Washington the employees would be mightily distressed.

Earl, do you have any comments?

MR. KINTNER: I think that last point is important. Our interviews with people in the Patent Office at all levels indicated that while they might accomodate themselves quite handily to a move in the Metropolitan area, the Office would suffer greatly in loss of skilled personnel if there was any move outside of Washington.

I think I would only emphasize one other point, and it is that you can do a great deal toward improving procedures -- and the Commissioner and his assistants are working on these problems -- you can do a great deal toward mechanizing and using modern technology in the framework of the present facilities, but in the final analysis, to get the kind of Patent Office that this country deserves, you must have a radically different, expanded facility.

I had the privilege of making a 48-hour trip to Germany. The Commissioner caught me and yanked me over there and forced me to climb through the whole of the German Patent Office building with him. This is a marvelous facility in terms of employing modern technology and in terms of the working space and is the type of facility that we associate with modern-day employment standards. I should think that any one, having gone through the Patent Office building in Germany, would be greatly ashamed of what we have in this country. In fact, our survey indicated that we were the most backward country in the world in so far as furnishing anything approaching even a minimum facility for a Patent Office and I would say that it is almost unthinkable not to plan now for a building that is most urgently needed now and certainly will be more urgently needed by the time it is finally constructed and occupied. I would suggest that the better course of wisdom of you people who lead the Bar would be to face the necessity of locating a Patent Office building somewhere within the metropolitan area and then getting your shoulders to the wheel and making sure you get that building as quickly as possible and that it is constructed so that the needs of the Patent Office 25 years from now may be met.

I think it is imperative. While one can listen to and list a great many arguments why this Patent Office should remain here in downtown Washington area, it just isn't practicable, as has been explained. We have to face realities, I think, and those realities dictate, in my judgement, a move as close as possible to Washington but within the metropolitan Washington area.

Thank you.

MR. KLOTZ: Did you find, in talking to the Patent Office fraternity in Germany, the fact that in Munich the location of the Patent Office is 2300 km removed from Bonn is an inconvenience to them or not?

MR. KINTNER: We found some of those considerations inconvenient, but the Office is self-sustaining, and I would say that this Office probably could be moved elsewhere. In some other metropolitan scene, however, I think there are other considerations. This country is much larger than Germany, and the Patent Bar, across the country, would not find some other cities as accessible perhaps as Washington. You have a concentration of the Patent Bar in Washington and you have the problem of morale there just as you do with respect to moving Patent Office personnel, and this is the seat of the government of a very large country, a very extensive country. So I think the considerations for the United States Patent Office are considerably different than they would be for the German office.But I was greatly impressed in talking to employees of the German Patent Office to find how much more efficiently they thought they were able to work in their new building and how much happier they were with their jobs and in terms of long-time tenure and prospects, how much happier they were.

Honestly, I think that David Ladd and the officials of the Department of Commerce could raise salaries, could shorten working hours, could do a great deal and still not whip the personnel problem that is caused by the shortage of space and antiquated facilities. This Patent Office is a disgrace to the United States Government in terms of the facilities it furnishes not only the Bar but the citizenry generally. It is completely outmoded and I think you gentlemen from the Patent Bar ought to face these facts and help develop a proper location with a proper facility that will be a great deal larger than what David has mentioned as meeting immediate space requirements.

COMMISSIONER LADD: Thank you, Earl.

MR. LASSAGNE: I am Theodore Lassagne of Glendale, California, which, if you have never heard of it, is surrounded by Los Angeles. I am also formerly of San Francisco.

DR. HOLLOMON: Which is also surrounded by Los Angeles.

MR. LASSAGNE: I heard of this last Thursday. I talked with the Board of Governors of the L.A. Patent Law Association, and I talked by telephone to the San Francisco Patent Law Association. I was asked to speak for the Boards of Governors of both associations at this meeting.

Our consensus is that the need for a new Patent Office building is the overriding consideration. And, while we have the greatest respect for the opinions of our Washington brethren, for whom it will be quite inconvenient, we think that unless someone comes up with an alternative plan which is positive and feasible rather than just in opposition to the planning which the people in charge have been able to do, we must support any feasible plan that the administration of the Patent Office comes up with.

If our brothers who object to this would come up with something positive or even remotely approximating the feasibility of this plan, we would support them wholeheartedly.

With respect to one thing which Mr. Kintner and Mr. Rothwell have just been discussing, the potential loss of personnel, this seems to me to be a quite shadowy thing. This is five years in the future.

I was in the Patent Office over thirty years ago, but I still have a few personal friends around here. They say this doesn't worry me because I will be retired by the time it happens. With your twenty percent turnover and your younger ranks are going to have a hundred percent turnover, the younger ones coming in will know it is happening and plan their needs accordingly. I think it should be wholeheartedly endorsed.

COMMISSIONER LADD: Thank you.

You say the plans should be supported. There are no plans.

We are talking about the general principles of downtown and outside Washington, but I know --

MR. LASSAGNE: What I mean to say, the plans for locating within the metropolitan area near the downtown area should be supported as distinguished from the idea of clinging to locating downtown.

COMMISSIONER LADD: All right.

MR. HAPGOOD: Our Association (New York Patent Law Association) passed a resolution last spring favoring the move to Langley, considering all the factors involved, and we are very much behind it, recognizing that it was for the good. Now, I gather that if we are going to move, it would be a move somewhat more instant than that although possibly within the general area.

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I can see no reason why our Association would change its views, under these circumstances, as long as there are equivalent facilities for getting there from an airport and that sort of thing. The problem of practice and so on can be resolved, whether it be located in either Maryland or Virginia.

COMMISSIONER LADD: Let me make these observations. One alternative that I want to make very clear is to say that the discomfort and the disadvantages of moving from Washington are so great that we choose to remain right where we are in crowded conditions rather than to undertake that inconvenience and disadvantage. Other people have quite probably made remarks along the other line and I think for balance I should bring that point out.

The other point I want to re-emphasize is the point I made before. I have stated that a removal of the Office from Washington for such a distance that despite circumferential highways or otherwise our employees would have to sell their homes and move, would be terribly uncomfortable. At least theoretical, is the possibility of removal to another city beyond Washington and I don't think we should lose sight of that possibility and come to some kind of a spurious concensus where these problems are not underlined and the discomforts of the alternatives are not made clear.

MR. HUME: Mr. James Hume of Chicago.

May I ask a question? Is the unique aspect of the staff of the Patent Office which I recognize and concur -- is that a factor that perhaps was not taken into account in the Goldberg Report in proposing future building for the metropolitan area?

COMMISSIONER LADD: I want to invite anybody who wants to supplement or correct my answer in any way to do so. To the best of my knowledge, that fact -- the unique quality and character of the Patent Office staff -- was not explicitly acknowledged in the report.

Is that correct?

MR. PRINCE: Well, I think that I should say this: I represented the Secretary on this committee at various and sundry times. I do not recall that all of the detailed peculiarities with respect to the various agencies of government as the priority was being developed were discussed in detail, but I do know that most of the needs and requirements of any building that was established in this set of priorities were considered in the light of crowding, dispersal locally, special purpose building, all of the significant factors.

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I think there are eight or nine priority classifications. I think the Department of Commerce -- it didn't say Patent Office-- but included Weather Bureau and Patent Office, landed No. 6 in the priority list. Basically many of the fundamentals that need to be considered, I think were considered.

I wasn't present when the decision was made or I would have been making an awful loud noise about the position of the Department of Commerce.

DR. HOLLOMON: We have tried to make representation in recent days as to the special requirements of the Patent Office with respect to the priorities. I can report to you they haven't changed any one's opinion as to the relative priorities.

COMMISSIONER LADD: I don't know how you can compare the degrees of the Atomic Energy staff to the Patent Office staff, but it is certainly specialized. But as a matter of fact, the determination of Atomic Energy to move to Gaithersburg and the reaction of the executives and employees to that move is something which should be thought about a long time before anybody tries to move the Patent Office. That experience has not been good.

MR. FELDMAN: Feldman, Rochester.

You have, on early occasions, if I can recall conversations with you, expressed some consideration for regional offices of the Patent Department as part of a broader consideration of the program. I wonder whether the single Patent Office building located within the metropolitan Washington area falls within the domain of these broad considerations or whether you intend to treat it first and then subsequently consider the regional offices.

COMMISSIONER LADD: My remarks on that point have been directed to the desirability of search centers in other parts of the country not in terms of dispersal of the examining body or administrative staff of the office. There have been developments along that line. I will ask Mr. Glaser to talk about that.

MR. GLASER: Just for a moment. The phrase you use, "regional branches or regional offices", I am afraid would be deceiving. We spoke of something maybe better expressed as regional research centers. There shouldn't be a notion that there will be an examiner in some location other than the central Patent Office location with whom an attorney could deal. The specific proposal under investigation was a device, a room, a set of equipment such that patent attorneys, scientist and others could make inquiries

which would be serviced by search equipment in the main Patent Office but so arranged that the answers to the questions were to be displayed visually in the remote location where the man was asking the question.

The intention here, obviously, was to allow a man to ask a question and get an answer promptly enough so he could pursue some kind of a search depending upon his own individual interests. I am afraid if we let the terms "regional office of the Patent Office" go by it would deceive you. The intention was to keep all of the examiners together.

COMMISSIONER LADD: So far as I know the people here who represent the kind of technological resources which we would want to consider in a new building have not been heard from. If you care to be heard from, Gentlemen, please speak up at any time. I should think that you might have some ideas-- you might not -- about how the kinds of technologies which you know are available or will be available in your own company, might affect distance or nearness in the location of the office, and timing.

COMMISSIONER LADD: Are there any other comments of any kind?

MR. KANE: I might say, as you know, the American Patent Law Association, in its deliberation of Board of Managers, has considered Langley as a site. While we appreciate the fact that it will inconvenience a lot of established members of the bar in Washington, we have felt and would still feel the primary thing would be to get a new facility for the Patent Office just as quickly as it can be procured. If the alternatives really boil down to whether we can get a site outside of the immediate district, even further than Langley and get it relatively quickly, as against a long indefinite delay, I feel confident we would still support that move. We have a Board of Managers meeting tomorrow, it so happens, and I expect to take it up at that meeting and I will let you know promptly.

DR. HOLLOMON: What would your reaction be to another city?

MR. KANE: Well, if it is still in this circumferential region.

DR. HOLLOMON: No. Another city.

MR. KANE: I would think that would not work out, simply because of the very heavy saturation of the Patent bar in Washington and as well as the heavy saturation of the personnel in Washington.

DR. HOLLOMON: If the alternative would be no Patent Office within another three years?

MR. KANE: I would still think disrupting the present bar as well as the personnel would be a very, very serious move, and I would doubt if my associates would support that.

MR. JACKSON: I would like to speak against any proposal to relocate in a completely different metropolitan area.

COMMISSIONER LADD: Let's get down to that.

MR. JACKSON: It seems to me on the basis of my recollection of Richmond, it was a near disaster, not ignoring it was a temporary set-up. I remember wives living independent of husbands, the husband was in Richmond, and conversely, other people who gave up altogether because of this, and still others who took very serious financial losses. I believe you would have repercussions in the bar and you would lose a great many of your long-term valuable employees.

COMMISSIONER LADD: By giving up altogether, you mean left the employ of the Patent Office?

MR. JACKSON: Yes.

COMMISSIONER LADD: Mr. Schuyler?

MR. SCHUYLER: William Schuyler of Washington. I would like to ask a question.

In considering another city, are we considering the location within the downtown area of a metropolitan city as against 25 or more miles from Washington, or are we considering something more than 25 miles from downtown Paducah, Kentucky? What do we mean by another city?

DR. HOLLOMON: Just pretend we have three alternatives: Another city would be, let's say, within easy commuting distance of a major transcontinental airport. Let's pick an area. I have never thought about it.

MR. JACKSON: Take Cleveland.

DR. HOLLOMON: Let's take downtown Pittsburgh.

MR. SCHUYLER: You are thinking of a location?

DR. HOLLOMON: I am not thinking, I am trying to specify what would be meant by another city: Cleveland, downtown St. Louis, downtown Detroit --

MR. SCHUYLER: We are comparing downtown in some such city as against a remote area.

MR. JACKSON: I think downtown means 20 miles from the airport.

DR. HOLLOMON: Not necessarily. I would think you would want to have it located readily available to transportation and also to the supply of trained clerical and technical people.

MR. USHERSON: Usherson, Washington, D.C., Data Processing. I would like to ask a question.

I am sure, studies and considerations for sites around the circumferential highway, for example, Gaithersburg, location in Bethesda or any of the other outlying suburban areas have been considered. Are there sites available to you in those areas?

COMMISSIONER LADD: The answer to that is yes. I don't know of any specific sites.

MR. USHERSON: I mean general pieces of real estate that would be available.

COMMISSIONER LADD: Yes. We have had offers of gifts of land in various places further than Langley -- substantial distances from the city -- for donation to the Government.

MR. USHERSON: Would the removal of the Patent Office to one of these close-by areas cause the same difficulty to the personnel.

COMMISSIONER LADD: The answer is clearly no. The reason the answer is clearly no, is that when we were considering the Langley location as a hypothetical location for the Patent Office we did certain traffic studies as to how it would affect our employees.

We have recently run comprehensive survey as to what would happen. What we found is that time is more important than distance in getting to and from work; therefore, they will tend to take the circumferential highway even from very far removed sections of Washington to get to another area. When the circumferential highway is completed, it will provide easy access.

MR. USHERSON: You made a remark that the Gaithersburg situation with AEC has been a very unhappy experience for the personnel. I was wondering whether that would be the same consideration you would have with your personnel.

COMMISSIONER LADD: The only thing I can tell you is that on the basis of the surveys we have taken the answer is no.

MR. USHERSON: It would not be.

COMMISSIONER LADD: The answer is no. This was done -- Gaithersburg is not the same as something close to a circumferential highway. And many of those people did go out there and build. How far is Gaithersburg out?

MR. USHERSON: Less than 20 miles from downtown Washington.

COMMISSIONER LADD: Can anybody here speak of the ABC experience and try to compare it to what we might expect in Patent Office?

MR. ARMSTRONG: The circumferential highway isn't open for one thing.

COMMISSIONER LADD: It will be by the time we erect any building.

MR. USHERSON: You would have that highway from the beginning.

COMMISSIONER LADD: Senator Fenwick is here. He may have some comments.

SENATOR FENWICK: Mr. Commissioner.

I don't think there is any question the necessity for a new Patent Office building and that that should be the first consideration. My feeling is that it is impossible to continue with the conditions the way they are. I think that if you can expedite this and get an appropriation quickly for planning money by selecting a site within the 25-mile radius of Washington, you are certainly justified in doing it.

Personally, I would prefer to see such a building located in the District. I have realized for some time the possibilities of getting it were very, very remote if we are going to do anything immediately.

With that in mind we have more or less concentrated on the so-called Langley site. We have done everything we can to make as little impact on the Bar by getting legislation through the Virginia Legislature which would permit the normal procedure before the Patent Office.

There was another advantage of course in that the land was already owned by the Bureau of Public Roads and

Commerce would have required no appropriation. I think it is rather difficult for us to say we would approve any particular site within a 25-mile area because one site might provide more difficulties, more impact than others. But certainly that ought to be given every consideration if it is going to expedite your getting your new building.

I would hope that when you got your money, conceivably Congress in its wisdom might say, "Here is a site right up here in Langley, 15 minutes from downtown Washington; you own it; why go out and spend the taxpayers' money for something else or take money out of the tax rolls?"

But that is something that would have to be taken care of in stride. I do think every consideration should be given to keeping the Patent Office here, on the local Bar and everybody else if it were taken away from this area. I would rather not see that happen, but more important is the desire to see that we have an adequate facility for the Patent Office. I personally would support such a proposal.

COMMISSIONER LADD: Thank you Senator. Let me make two comments here just to be sure we are all talking about the same thing. Bear in mind when I talked about a 25-mile figure a moment ago, I identified, it as a minimum figure. Moreover, that is no official criterion whatsoever. I don't know what standard GSA or the Bureau of the Budget is going to apply in determining what is decentralized. But I would say that we can talk for the moment on the basis of these two premises.

Assume the building will be at least 25 miles away from the downtown Washington area and assume further it will be far enough away to be as close to another city as it is to Washington itself. The 25-mile figure which is an informal guessing figure has to be taken as a minimum.

DR. HOLLOMON: As an example, suppose we said near Baltimore, near the Friendship Airport, which is typical example of 25 miles.

COMMISSIONER LADD: The plan sets forth, four basic schemes, all of which have a good deal in common. I hope you can see this -- it is a rather stylized map. Washington is this large black circle in the center and here are corridors leading out. This corridor --there are six of them--this corridor, for example, obviously lies along the Washington Expressway; this corridor lies between Washington and Annapolis, the other corridors lie down in Virginia and various directions up into Maryland. Here are two communities which don't really exist now.

And moreover, you will see that the circles are of various sizes. On the legend those are identified as new

town centers, urbanized areas in which the whole area is considered urbanized, and the small dots are suburban centers. For example, the CIA building at Langley is represented on this map as a suburban center and the green space is considered open space. The arrows which are associated in each case with the corridors, are main communication lines.

Some of you, in light of the new status of this report, may be interested in taking a look at it. I think copies are fairly freely available.

MR. PRINCE: Not in the Department.

MR. FELDMAN: You asked the question. I would like to speak in respect to the technological aspects, asking for comments. I wonder if Mr. Kintner would like to comment on any that he might have observed on his trip to Germany that might give some indication of the devices that were in use by their examiners, the effectiveness in the Patent search and in examinations and in discussions with requesters, so we might be better guided in asking another large flood of questions that might just stem from those examples.

COMMISSIONER LADD: With your permission I am going to answer this question myself.

MR. KINTNER: I was going to suggest you do.

COMMISSIONER LADD: In the first place, in many areas of mechanization of our limited operations, the searching operation, we are far ahead of anybody else. I think what Mr. Kintner was referring to is the kind of administrative apparatus, things like pneumatic tubes and very fast transportation of documents within the building itself which eliminate the running around by examiners and a lot of little things; these continuous belt-type elevators; a lot of not flashy, not way out office equipment which makes life livable. Mr. Glaser is talking about extremely advanced equipment. This is not what we saw in the German office.

For example, we are considering a central microfilm bank, from which images may be called up instantaneously for reproduction on examiners' screens to eliminate the loss of time and mixed up files we now have in the search records. Mr. Glaser is referring to things as wild as having centers all over the U.S. where attorneys may come in and with closed circuit T.V. review their cases with the Patent Office and have the entire interview recorded. I know you people have some ideas about that. I am wondering why you have been so quiet.

MR. USHERSON: The state of the art is pretty much public domain. We try to keep the secrets, but sometimes you read about it in the latest magazines. The state of the art is such that we know we have equipment that can reduce images to 1/400 of space required by one sheet. We can store a whole book of information on a three by five card. We have access to it. We can display it or print it. We have this today.

COMMISSIONER LADD: We have a contract with your company and are following your installation at Navy with great care. I hope you make it.

MR. USHERSON: We have these display devices and the status of these photochromic micro images --

COMMISSIONER LADD: The reason these people were invited is to help us determine how far from Washington we can stand to put the Patent Office if that is the primary condition of getting a new building. The reason you are here is the hope that you might have come comment about the kinds of equipment which could be installed. For example, for communication from Washington to that site wherever it might be. If it were determined that it was comfortable, acceptable, and convenient to have interviewing recording and display circuits between downtown Washington and that site, obviously that is a different kettle of fish from having to go, in every case, out 35 or 40 miles, regardless of how good the records were. That is the reason you people were invited. I am not distressed because of this. If by some miracle we get this building, we will be calling on you people. We want this building to be a model not only for patent offices, we want it to be a model for the country. It is part of the expanded notion we have in the Patent Office for disseminated information centers.

MR. USHERSON: Then I can state you might be able to get a happy miracle here. You might be able to work out a system whereby your patent examiners and your key personnel that have to work with the body of law, could remain right in this building. In fact you could expand the space that is currently being taken up by various elements of data processing and bookkeeping and have the data storage and retrieval removed, say, within 25 or 30 miles. With trunk lines communication networks set up, you could have your cake and eat it, too.

VOICE: For a price.

MR. USHERSON: This is going to cost money any way you turn.

COMMISSIONER LADD: This is on the shelf?

MR. USHERSON: A great deal of it is on the shelf. When we talk about real time systems they are being developed and installed in banks throughout the country.

COMMISSIONER LADD: With remote depositories --

MR. USHERSON: Remote inquiry, they call it.

MR. GLASER: I don't know, Mr. Usherson, that you realized when you say people who have to do this judicial type of work, you are talking about most of the people we are interested in. There are over a thousand of them. When you say you can leave those people, and those that must be with them, behind, I am afraid you are leaving most of the Patent Office behind, and here we are right back where we started.

It is true that the micro-storage, or, indeed any form of rapid access storage of documents would relieve some space; but -- correct me if I am wrong about this -- all the examiners and the people that must be with them would almost fill a Commerce building three blocks long, one block wide, and seven stories high, if we are standardized at the GSA allowance. So the group you are leaving behind would fill this entire building if we leave them out.

COMMISSIONER LADD: Mr. Hume?

MR. HUME: May I ask one more question? I would like to have as much information from this meeting as I can to take back to Chicago.

Do I conclude correctly that the Patent Office finds itself in an unique position in relationship to the Goldberg Report, or are there other government agencies in this same position? Am I correct in thinking we had this problem because we were not --

COMMISSIONER LADD: There are others, too. As a matter of fact, I can tell you what this represents. This represents, on the part of the people who are responsible for making the decision in the city, in two other agencies besides the Department of Commerce, the following conclusion:

We are very sorry that we cannot get you in the District of Columbia. We know you need a new building and we would like to see you have it. It's the only possible way we can conceive of getting it for you outside this ceiling on dollars for construction in the District of Columbia. Now what do you have to say about that? If you buy it, if that is what you want in the light of your own needs, the needs of your clientele, and so forth, come back and tell us and we will push it.

In answer to the other part of your question, the answer is yes; there are other agencies that are in the same position. Whether they are hurting as much as we are, or pressing as much as we are to get this kind of support in the Executive Branch, I don't know. I am very grateful we have the kind of support that we have.

MR. HUME: We were sort of classifying ours as a group that should be in the District of Columbia for various reasons. The alternative is to go out and be an office dispersed somewhere else in the country, which we can't accept. There is no category for use. We belong here, can't stay, and don't want to go. There is a dilemma. Am I not correct in analyzing it that way?

COMMISSIONER LADD: I think you are.

As badly as we are hurting, the decision has been made. After we were heard, the decision was made that we do not fall within the list of priorities established for the District of Columbia in the next two years at a minimum.

Incidentally, don't let anything in this discussion indicate that if we do make a decision to bear the discomfort of staying here rather than going away from Washington that in two or three years from now we will get the building. That assurance isn't there.

I assume people will continue to be aware of our needs in the future, but there is no promise we will fit in three or four years.

Is that right?

MR. PRINCE: There is no specific date by which we will be included, but it will probably come within three or four years.

MR. SCHUYLER: William Schuyler, Washington, D.C.

It would seem to me--This is not a new concept, I am sure--That personnel in the Patent Office are not unlike the personnel in a research laboratory. I know some of our larger organizations have found it desirable to locate their research laboratories in rather remote residential areas for various and good reasons. They are not known to me, but I think it would be helpful if they were made known to those making this decision.

COMMISSIONER LADD: It is a quarter of five, and I suppose not many of you would be willing to stay after five o'clock. So let's round up the final comments.

MR. WOLK

MR. WOLK: Mr. Wolk, Rahway, New Jersey. Regarding these three alternatives my question is: does the

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Patent Office have any preference which it would express at this time?

COMMISSIONER LADD: I have a preference, but I am not free to state it here. You might be able to infer from what I have said, but I have tried studiously to give balance to all of these alternatives.
The purpose of this meeting is not to tell you what we want and to get your support; the purpose of the meeting is to get a reaction from you. Do you have an opinion?

MR. WOLK: In that case, my opinion coincides with Mr. Hapgood and Mr. Kane. Both I, personally, and the New Jersey Patent Office Association would much rather support a move within a minimum radius --say, a maximum radius of 25-miles or thereabouts, as referred to by you, rather than considering a move to another city. A move to another city would create some entirely different problems which have not even been touched upon yet by the Patent Bar.

It is my understanding that the Patent Bar has pretty uniformly supported a move to Langley and I am sure they would also support a move to a reasonable distance beyond Langley.

MR. CONNELL: I am a manufacturer, not associated with the Bar, and as such one of the best uses that we can make of the Patent Office is as an information center, which you have brought up in the past. I think that tied to the question of how quickly we should try to get new facilities, is the question of how soon after the new facility is built can we expect satellite offices in other cities throughout the country.

COMMISSIONER LADD: There is a proposal which I think you can say has been given more than serious consideration, Mr. Connell, for the creation of document centers with which we do hope to associate and are trying very hard to associate with complete reproduction of our classified patent files.

MR. CONNELL: Would this be dependent on a new office?

COMMISSIONER LADD: No, it would not.

I do think we would have to leave a search center in Washington. By that time I hope that Mr. Usherson's organization, or one of his competitors, will come up with a system that will make that readily and economically possible.

Mr. Bennett?

MR. BENNETT: Raymond Bennett, National Association of Manufacturers.

I would like to inquire about the time factors. In other words, how does this tie in which the appropriation hearings that will be coming up?

COMMISSIONER LADD: The budget for fiscal 1964 is now being wrapped up, and that fact is not totally unrelated to the fact we are in this room today; it is also not totally unrelated to the fact that the telegram said "Emergency Meeting."

MR. KINTNER: Commissioner, I suggest you get a show of hands so you will have some kind of expression from this group, which you know you need.

COMMISSIONER LADD: Mr. Kintner is a former head of an agency himself.

MR. KINTNER: I am not paid, so I can be frank.

COMMISSIONER LADD: Let's try to formulate the alternatives. You understand this is not a vote of parliament. This decision of the house is not going to result in a binding mandate.

One alternative seems clear; any move beyond 25 miles is so uncomfortable we should prefer to wait for two, three, four, or five years, until the Patent Office manages to fall into the list of priorities. That is the first alternative.

The second alternative is a willingness to see the Patent Office removed if it is -- Can we qualify this and say between 25 and 100 miles from Washington, with speedy access, as we understand "speedy access"--over multilane limited access highways.

Incidentally, if anybody wants to help me reformulate these, please do so.

The third is that with no space limitations whatsoever, removing the Patent Office even as far as Anchorage, Alaska, is not unacceptable, because the Patent Office needs, a building that badly.

Are those fair alternatives?

MR. GLASER: The thing you have to clarify is what you mean by commuting distance. The second has been spoken of as near enough to the circumferential highway as to be

commutable. I think a hundred miles plus the distance across the city is extravagent.

VOICE: Fifty miles.

COMMISSIONER LADD: You raise the question--

Mr. GLASER: I think you have to say a maximum of 40 to 50 miles, or throw out the notion people will commute.

COMMISSIONER LADD: All right.

I think, as reformulated, the alternatives are that anything in excess of 25 miles is too uncomfortable and even in the interest of expedition, should not be accepted.

Alternative 2 is anything up to 40 miles from Washington; and you don't have to put in all the qualifiers about access highways, and so forth. You know about all those. This one is acceptable in the interest of immediate Congressional appropriations for planning and design.

The third is beyond that, no matter where the Patent Office goes. A new building for the Patent Office is so needed and so desirable that no consideration whatsoever should be given to distance and space or time.

Does anybody have any amendments to the motion?

The first one, then. How many contend that the removal of the Patent Office anywhere in excess of 25 miles from Washington is unacceptable?

(Vote: 1)

COMMISSIONER LADD: Incidentally, there can be abstensions.

The second alternative: anything up to 40 miles is acceptable in the interest of immediate action.

(Vote: 22)

COMMISSIONER LADD: The third, space doesn't make any difference; get a new building wherever you can get it.

(Vote: none)

COMMISSIONER LADD: That is what I expected.

Let me summarize the purpose that I think this

meeting has served.

In the first place, we have had the benefit of your comments, some of which we were aware of before, but some of those opinions we were not aware of.

Secondly, you now know the problem and the decision we have to make, and you can take back to your own companies or Bar group a statement of the problem and reliable information about how the Patent Office is approaching it.

Now let me emphasize again that regardless of the decision made, if the decision is yes, we will go for alternative 2; and, assuming the Bureau of the Budget and GSA will go alongwith us, there will be Congressional hearings perhaps before both the Public Works Committee and the Appropriations Committee in the Congress. You will have the opportunity, with the benefit of more mature, deliberate thought and consultation with your associations, to express your opinions at that time; whatever your opinions may then be.

Again I want to thank you for coming;and I want to try and indicate that that is not an idle "thank you". I would hate to compute the wage bill for the men who have been sitting in this room for the last two hours, let alone pay it.

Gentlemen, thank you for coming. It has been a pleasure to see you.

(Applause)

(Whereupon, at 5:00 p.m., the conference was adjourned.)

EXHIBIT 14

C-O-P-Y

EXECUTIVE OFFICE OF THE PRESIDENT
BUREAU OF THE BUDGET
WASHINGTON 25, D. C.

Feb. 8, 1963

Honorable Jack Brooks
Chairman, Government
Activities Subcommittee
Committee on Government Operations
House of Representatives
Washington 25, D. C.

Dear Mr. Brooks:

In your letter of October 11, 1962, which enclosed copies of the report entitled, "Criteria for Decentralizing Federal Activities from the Nation's Capital," you asked that the Bureau of the Budget submit a report on progress toward the development of full and adequate criteria for making judgments on further decentralization and dispersal of agencies and personnel.

On July 9, 1962, the President issued Executive Order 11035 (copy enclosed). Among other things, the order directed the heads of executive agencies to "review continuously their needs for space in and near the District of Columbia, taking into account the feasibility of decentralizing services or activities which can be carried on elsewhere without excessive costs or significant loss of efficiency." The order also assigned to the General Services Administrator certain new responsibilities in the area of Federal space allocation.

On November 27, 1962, the President issued a memorandum to the heads of executive departments and the Commissioners of the District of Columbia which established guidelines for future action to ensure orderly planning for the National Capital region consistent with the Year 2000 Plan report which was developed by the National Capital Planning Commission and the National Capital Regional Planning Council. I enclose a copy of the President's memorandum. It states that "It shall be the policy of the executive branch to limit the concentration of Federal employees within Metro-Center, as defined in the Year 2000 Plan, over the next four decades to an increase of approximately 75,000." The effect of this policy should be to ensure that between now and the year 2000, growth of Federal employment in the central area of the National Capital region will be held to minimum levels.

To further strengthen the policies of the executive branch on decentralization and dispersal, the Bureau of the Budget is drafting a Budget Circular which will deal with these problems. As we envisage it, this circular will refine and strengthen the preliminary criteria which were developed by the President's ad hoc Committee on Federal Office Space. Agencies will be instructed to use the criteria in carrying out their responsibilities for planning space requirements pursuant to Executive Order 11035, and in justifying requests for additional office space in the National Capital region. Both the Bureau of the Budget and the General Services Administration will examine such requests in the light of these criteria.

It is intended also that before requesting approval of any prospectus for construction of office buildings in the National Capital region to meet the needs of one or more agencies, the General Services Administration with the assistance of the Bureau of the Budget will examine thoroughly the alternatives of decentralization and dispersal, drawing on the advice of the Office of Emergency Planning and the National Capital Planning Commission.

A continuing assignment has been made to the Office of Management and Organization in the Bureau of the Budget to work on the further refinement of criteria for decentralization and dispersal, and to assist our examining divisions in identifying opportunities for further decentralization and dispersal. The budget review process can be an effective aid in implementing a policy of decentralization, as is evidenced by the decision to recommend in the 1964 budget funds for sites and plans for a new Patent Office facility which would be located outside the National Capital region.

We appreciate the Committee's interest and constructive recommendations concerning these matters. When our current work is completed, we shall send you copies of the Budget Circular.

Sincerely yours,

(signed) Kermit Gordon
Director

Enclosures

Senator YOUNG. Mr. David Kane, president of the American Patent Law Association.

Following Mr. Kane's testimony there remains only the testimony of three witnesses to be heard, and this subcommittee will continue in session until we conclude the testimony.

Mr. Kane, will you proceed?

STATEMENT OF DAVID S. KANE, PRESIDENT, AMERICAN PATENT LAW ASSOCIATION

Mr. KANE. Mr. Chairman, my association comprises some 2,500 lawyers who specialize in patent and trademark law throughout the United States.

The question of a Patent Office, and an adequate Patent Office, facility, is in our opinion essential to the continued vitality of our patent system.

We agree with, I think, everyone else who has expressed himself on the subject either here on in other forums, that if everything else were equal, the best location for the Patent Office would be somewhere within the District of Columbia, and preferably in downtown Washington.

On the other hand, we are advised and we have carefully checked the information we have received, and we believe if we are to get a new Patent Office now within the near immediate future, our only chance of doing that is to go along with the "Year 2000 Plan" and relocate it within the environs of Washington, within commuting distance of the downtown area.

We feel that the need for the new Patent Office is so great, and so overwhelming, that we are prepared to accept this alternative if in doing so we get a Patent Office at this time. We urge that those who are charged with the selection of a site carefully review and go over all available areas within this commuting range to make sure that we are getting the best available site that will least inconvience the employees of the Patent Office, the general public, and the patent bar who use the facilities.

The downtown Washington patent bar, which is substantial in number, have been located here some time, and some of the firms have been located here for several generations. The commuting is going to inconvenience them to some extent, but, as Commissioner Ladd pointed out, those of us who are from other cities, and I come from New York, and some of the members of the association come from Chicago, and San Francisco, and other areas, are used to commuting on a daily basis anywhere from 30 to 60 minutes each way. So that is not an insurmountable problem.

The one thing we want to emphasize is that nothing be done that would take the Patent Office itself completely away from the Washington area. There was some talk, which we hoped was ill conceived and not factual, that the Patent Office might be located in some other city. We feel that this would be a great mistake because of the peculiar nature and the high skills of Patent Office personnel, who cannot be recruited readily in other urban areas in other parts of the country.

We feel that by all means every effort should be made to keep the Patent Office in the general Washington area.

That is the extent of my statement.

Senator YOUNG. May I say that as one who really has maintained a Washington residence that it is 15 minutes from my Senate Office on Saturdays and Sundays when I come to work, and about 20 minutes away if I leave my local residence at let us say 7:30 in the morning, but about three-quarters of an hour or longer if I am foolish enough to start at about 8:15 or 8:30 in the morning. It seems to me that your statement is actually correct when you refer to a location somewhere in the environs of Washington.

For some people, depending on where they live, it might be even quicker to get to a building near to or close to Annapolis, or in Annapolis, than to one in downtown Washington at certain crowded traffic periods.

Isn't that almost factually correct?

Mr. KANE. I think so.

Senator YOUNG. For instance, where I live in Shaker Heights, Ohio, except for the rapid transit system, which takes me to the downtown area, where I formerly maintained a law office, in about 12 minutes, it would have taken me nearly an hour to get to work. That is a similar situation to what you have here in Washington, with traffic being what it is, and Washington traffic circles being what they are, to those of us who are not accustomed to that kind of a situation in our home communities.

Mr. KANE. One thing I did not mention with respect to Howard and Anne Arundel Counties is that they are adjacent to Friendship Airport, which has jet service. For members of the public and the bar who come in from a distance, this might even be a saving of time, and of greater convenience than coming into downtown Washington.

Senator YOUNG. You have considered all of the factors involved here, have you, of various other locations?

Mr. KANE. We have. We would like to see the site that the chairman mentioned a while back, over here in Langley, Va., which we think is most accessible, and which by the clock is only about 10 to 15 minutes from the Willard Hotel by these new roads.

Senator YOUNG. Has that been thoroughly considered, to your knowledge?

Mr. KANE. I understand it is not available, but this is only information that has been given to me.

Senator YOUNG. Senator Nelson? Senator Bayh? Senator Cooper? Anyone else?

Thank you very much.

Mr. KANE. Thank you, sir.

Senator YOUNG. Mr. Randolph Thrower, chairman of the section of taxation of the American Bar Association.

STATEMENT OF RANDOLPH W. THROWER, CHAIRMAN; ACCOMPANIED BY ANDREW B. YOUNG, STRADLEY, RONAN, STEVENS & YOUNG, PHILADELPHIA, PA., VICE CHAIRMAN, SECTION OF TAXATION; AND LEE I. PARK, HAMEL, MORGAN, PARK & SAUNDERS, CHAIRMAN, COMMITTEE ON TAX COURT APPOINTMENTS, AMERICAN BAR ASSOCIATION

Mr. THROWER. If I may be accompanied by two other members of the association, I will introduce them.

Senator YOUNG. We will be happy to hear your testimony. You may proceed.

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Mr. THROWER. Mr. Chairman and members of the committee, my name is Randolph W. Thrower. I am a lawyer from Atlanta. I am testifying here on behalf of the American Bar Association in my capacity as chairman of the section of taxation of that association.

I might mention for the record that our section has a membership of approximately 8,500 lawyers, and that the association itself has a membership of over 100,000 lawyers.

With me on my left is the vice chairman of the section, Mr. Andrew B. Young, of the firm of Stradley, Ronan, Stevens & Young; and, on my right the former chairman of the section and presently chairman of our Committee on Tax Court Appointments, Lee I. Park, of the firm of Hamel, Morgan, Park & Saunders of Washington.

We have submitted a written statement which I would like to have reflected in the record and will not read, with the committee's consent.

Senator YOUNG. The statement will be received and placed at this point in the record of the proceedings.

(The statement of the American Bar Association is as follows:)

AMERICAN BAR ASSOCIATION,
Washington, D.C., March 20, 1963.

HOUSING THE TAX COURT OF THE UNITED STATES IN A BUILDING SEPARATE AND APART FROM ANY BUILDING IN WHICH ANY PART OF THE TREASURY DEPARTMENT IS HOUSED

Only the resolutions presented herewith, which have been approved by the house of delegates, are the official policy of the American Bar Association. These are listed under the heading "Recommendation." Comments and supporting data listed under the subheading "Report" are not approved by the house in its voting and represent only the views of the section of taxation of the American Bar Association.

The section of taxation of the American Bar Association at the meeting of its council on February 1, 1963, adopted the following resolution which was subsequently approved by the house of delegates of the association at its midyear meeting in New Orleans, La., on February 4, 1963.

RECOMMENDATION

Whereas for many year, the Tax Court of the United States has been housed in the same building in Washington, D.C., in which the Internal Revenue Service, and the office of the Chief Counsel for the Internal Revenue Service, are located, and

Whereas the Commissioner of Internal Revenue is a party litigant, as respondent, in all tax cases tried before the said court, and is represented in all such cases by attorneys in the office of the Chief Counsel for the Internal Revenue Service, and

Whereas, it is believed that adequate housing for the Tax Court, separate and apart from the Internal Revenue Service and the office of the Chief Counsel for the Internal Revenue Service, is essential in the interest of maintaining maximum public confidence in the judicial independence of the court: Now, therefore, be it

Resolved, That the American Bar Association recommends to the appropriate departments and agencies of the Federal Government, and to the Congress, that the Tax Court be provided, at the earliest possible date, with adequate housing, separate and apart from any building in which any part of the Treasury Department may be housed, and be it further

Resolved, That the section of taxation is directed to urge compliance with this recommendation upon the proper departments and agencies of the Federal Government and upon the proper committees of Congress.

REPORT OF THE SECTION OF TAXATION, FEBRUARY 1, 1963

Summary

Since 1930, the Tax Court of the United States, the offices of the Commissioner of Internal Revenue and the Internal Revenue Service, and the offices of the Chief Counsel for the Internal Revenue Service (which represent the Commis-

sioner of Internal Revenue in all tax cases before the said Tax Court) have all been housed in the same building in Washington, D.C. This has resulted in members of the court (and its staff) appearing to have a close relationship with the attorneys for the Government in tax cases before the said court. As a result, there have been complaints that such association could affect the judicial impartiality of the court. The section of taxation does not believe that there has been any influence on the court's approach to any cases as a result of such association, but the section is concerned about the existence of a situation which could adversely affect the public regard for the court. Since the present close housing arrangements, and resulting informal contacts, could lend credence to the complaints which have already been voiced, and which could be magnified in the future if the housing situation is not changed, the section believes that the basis for such complaints should be eliminated by providing for a new building for the Tax Court separate and apart from the Internal Revenue Service or any other administrative agency.

Discussion

The Tax Court of the United States was created by the Revenue Act of 1924 as an independent agency in the executive branch of the Government. It was known as the U.S. Board of Tax Appeals until 1942 when its name was changed by act of Congress to the Tax Court of the United States. Since 1926 the statute has provided that it be composed of 16 members appointed by the President by and with the advice and consent of the Senate. Each member is appointed for a term of 12 years. The terms are staggered by groups of four each. Thus, the terms of four of the present members will expire on June 2, 1968, four on June 2, 1970, four on June 2, 1972 and four on June 2, 1974. Several of the present members were appointed from other Government positions—some directly from the Office of the Chief Counsel for the Internal Revenue Service.

The court was created in response to a widespread demand that the old, common-law doctrine, which required taxpayers to pay taxes claimed by the Government and then contest the correctness of the asserted liability by a suit for refund (against the agent of the Government only until, and except as, the Government permitted suits against itself), should be reversed with respect to income and estate taxes. Those taxes had become especially burdensome by 1924 by virtue of the very high rates required to pay for the costs of World War I and the continued high costs of Government following that war. After gift taxes were imposed by the Revenue Act of 1932, the Tax Court was also given jurisdiction of deficiencies in gift taxes. By the Revenue Act of 1943, the court was also given jurisdiction of renegotiation cases, but these have represented only a comparatively small part of the court's work.

Thus, since 1924, taxpayers have been able to litigate asserted tax deficiencies in the Tax Court before being required to pay. Decisions by the court are appealable to the U.S. courts of appeals and the decisions of the latter courts in such cases are subject to petitions to the Supreme Court for writs of certiorari. Subject only to such review, the decisions of the court are final and uncontestable in any other court. By the same token, they support pleas of res adjudicata and equitable estoppel.

The court has always functioned in substantially the same manner as other courts function in adversary proceedings in nonjury cases. Cases are tried de novo as in courts of record proper. The court establishes its own rules of procedure and follows the rules of evidence applicable in the U.S. District Court for the District of Columbia.

The Supreme Court, and U.S. courts of appeals, have recognized that the Tax Court, although by statute an independent agency in the executive branch of the Government, nevertheless functions as a court and enjoys the principal indicia of a court of record. *Goldsmith* v. *United States Board of Tax Appeals*, 270 U.S. 117; *Stern* v. *Commissioner*, 215 F. 2d 701 (C.A. 3); *Reo Motors, Inc.* v. *Commissioner*, 219 F. 2d 610 (C.A. 6).

The status and importance of the Tax Court as a court of law have also been recognized by the American Bar Association in two recommendations (one in 1948, 73 ABA Reports 129, and the other in 1956, 81 ABA Reports 379) that the Tax Court should be made a court of record under the Judicial Code—i.e., as a part of the judicial system of the United States in point of law as well as in practice.

Because of its unique jurisdiction to hear and decide tax deficiency cases before the taxpayer is required to pay the deficiencies asserted, the Tax Court has always had a very heavy workload, not only from the standpoint of number

of petitions filed and cases heard, but also from the standpoint of the large dollar amounts involved. In fact, it is believed that, from the latter standpoint, it handles a larger volume than any other single court in the United States. Its importance in our system of jurisprudence is, therefore, at once self-evident.

The section of taxation believes, therefore, that the judicial competence of the Tax Court, and the public regard for the court as an independent judicial tribunal, should both be maintained at the highest possible level. The complaints which have been voiced indicate that the housing arrangements referred to above could, if continued, undermine, at least to some extent, the public confidence which the court has enjoyed and should continue to enjoy. The section is convinced that separate and independent quarters would allay the concern in this regard and contribute materially toward the maintenance of the court's high status.

It is understood that the Treasury Department is in accord with this position and has recommended to the General Services Administration that appropriate steps be taken to provide adequate separate housing for the Tax Court. It is also understood that the General Services Administration concurs and has indicated its intention to recommend to the Congress the erection of a new building "designed specifically for Tax Court purposes." It is also expected that such recommendation will be presented for approval to the Committees on Public Works during the current session of the Congress.

RANDOLPH W. THROWER, *Chairman.*

Mr. THROWER. We are very much interested as an association of lawyers in the proposal for the provision of separate quarters for the Tax Court of the United States, that is, quarters separate and apart from the quarters of the Commissioner of Internal Revenue, the principal litigant before the court, and the Chief Counsel of the Internal Revenue Service, who is the lawyer for the opposition in tax cases before the court.

Briefly, if I may review a bit of the history of the court, it has a very long and very significant history in the internal revenue field. It was created as a Board of Tax Appeals by act of Congress in 1924 to consider income and estate tax controversies before the payment of the tax. Prior to that time, the principle governing in the litigation of tax cases had been to pay first and litigate later, but under the World War I demands the tax rates had become so high that it was quite burdensome on many taxpayers to pay the total amount asserted by the Commissioner and then sue to get back such part as they considered to be in error.

In response to those demands, a Board of Tax Appeals was created which would consider formally proposed tax deficiencies before the necessity of having to pay.

From time to time since 1924 the Congress has dignified and raised the status of the Board of Tax Appeals.

In 1942, the name of the Board of Tax Appeals was changed to the Tax Court. It is a court of record in all respects. In almost all respects it acts just as our Federal courts that have been created under the Judicial Code. Its decisions are appealable to the U.S. circuit courts of appeal, and by petition for certiorari on to the U.S. Supreme Court. It has been recognized by the appellate courts and the U.S. Supreme Court as having a judicial status equivalent to that of a Federal court.

The association and the section of taxation have been very much interested in doing everything possible to dignify the status of the Tax Court, because it performs such an important function in the entire system of the administration of our internal revenue law. Because of its peculiar position, that is, that controversies can be fully

litigated before collection, many taxpayers have taken their cases to the Tax Court of the United States. Consequently it has a very heavy load. The pending cases before it well exceed 10,000. The amounts involved will probably exceed the total amount involved in litigation before any other court within the entire country. It is in the neighborhood of $1 billion. That will average out to about $100,000 per case, though it has many small cases involving $100 or less.

It is thus a most significant court in our entire system. We believe that the standing and status of the court to the bar of the country and the taxpayers throughout the country will be greatly increased if it is removed from the quarters of the chief litigant on the other side, the sole litigant on the other side, and his counsel, the Chief Counsel.

We have found in our recent meetings, where we have given a great deal of attention to the litigation of tax cases in our several courts—we have found somewhat to our surprise a very deep-seated feeling with respect to this particular matter among lawyers throughout the country. I would say the farther removed they are from Washington, the less able they are to understand the fact that the Tax Court is put in the building with the Commissioner and with the Chief Counsel, which would indicate to many that there is expected to be a collaboration between them. We know that there is not, but the very location, we think, is somewhat of an imposition upon the Tax Court.

If lawyers have difficulty in understanding it, you can well know that taxpayers even more so have difficulty in understanding that this can be or is expected to be a completely independent and impartial judge of our tax laws, when it is located in the same building. It does create a great deal of confusion and misunderstanding in the minds of lawyers throughout the country, and of taxpayers throughout the country.

The record will show that the responsibilities of the Tax Court are increasing year by year, and, as the total of our collections increase, now in the neighborhood of $100 billion, it becomes more and more important that the people of this country and the bar of this country be fully satisfied within their minds as to the fairness and impartiality of the administration of our laws; the fairness and impartiality of the courts when controversies arise in the tax field.

Mr. Chairman, I would like to conclude by saying that we think that the Tax Court has done a remarkably good and efficient job. We want to commend it. We think that it deserves the position of status which this would provide for it.

Therefore, speaking for the association, we very strongly recommend that the Tax Court be provided quarters that are separate and apart from those of the Commissioner and the Chief Counsel.

Senator YOUNG. For the committee, may I thank you for your excellent and very impressive statement.

Senator Cooper?

Senator COOPER. Thank you. No questions.

Senator YOUNG. Senator Bayh?

Senator BAYH. No questions.

Senator YOUNG. Thank you very much.

Mr. Ralph Blakeslee of the Patent Office. You are our next-to-last witness, but you take your time in testifying.

STATEMENT OF RALPH BLAKESLEE, PATENT OFFICE SOCIETY

Mr. BLAKESLEE. Thank you very much, sir.

The Patent Office Society only heard about these hearings yesterday, and we have not been able to get the consensus of our membership.

We were somewhat gratified to learn that your executive session would be put off. What I would ask this committee to do is to allow me to give my personal views. I have worked with the building problem as immediate past chairman of the legislative committee of the Patent Office Society, and I will submit for the record subsequently a consensus of the membership of the society, which includes virtually all of the examiners in the Office. It is the professional society of the examiners.

Senator YOUNG. We shall gladly hear your oral testimony, and whatever statement you wish to file with the committee will be submitted with the record.

Mr. BLAKESLEE. Thank you, Mr. Chairman.

Senator YOUNG. You should not delay or be guilty of any undue delay in submitting that.

Mr. BLAKESLEE. We will get that in right away and we will ask your indulgence in delaying the presentation.

(The prepared statement submitted by Mr. Blakeslee is as follows:)

MISLEADING

STATEMENT OF THE PATENT OFFICE SOCIETY WITH REGARD TO PROJECT NO. 49,926

Pursuant to the request of Senator Young, chairman, Subcommittee on Public Buildings and Grounds, Committee on Public Works, U.S. Senate, the following statement on behalf of the Patent Office Society relative to the proposed construction of a new building to house the Patent Office within Howard or Anne Arundel Counties in the vicinity of the city of Baltimore, Md., under the GSA prospectus for project No. 49,926 is respectfully submitted.

The active membership of the Patent Office Society comprises approximately 970 professional employees of the Patent Office and represents a vast majority of the 1,020 such employees eligible for membership. At a crash meeting on March 21, 1963, attended by approximately 800 members, the prospectus aforesaid and some of its implication were briefly considered and discussed by the membership.

A general impression has been created that if a new Patent Office building were to be erected under the proposed prospectus that such building would be located in the Annapolis area which appears to be somewhat at variance with the expressed location in the prospectus; namely in the vicinity of the city of Baltimore.

The membership of the Patent Office Society is in full accord with the proposition that the operation of the Patent Office is being impaired due to inadequate quarters, and it is imperative that adequate facilities be provided in the near future if the intended constitutional function of the Patent Office is to prevail.

Notwithstanding the fact that the north wing of the Commerce Building was designed specifically for occupancy by the Patent Office, the society has been advised that adequate quarters may not be provided in the present building or in Downtown Washington or the environs thereof within the foreseeable future. On this assumption, the Patent Office Society on February 6, 1962, approved erection of a new building on Government-owned land at Langley, Va., as an acceptable alternative.

At the meeting on March 21, 1963, aforesaid the following four questions were propounded to the membership with the results indicated:

1. Do you believe that the need for a new Patent Office Building is sufficiently great that it would be acceptable to construct the building within commuting distance (approximately 30 minutes' travel time) of Washington, but outside the District of Columbia? Overwhelmingly yes.

2. Would Langley, Va., previously endorsed by the Patent Office Society, be an acceptable site? Overwhelmingly yes.

3. Would the Howard-Anne Arundel area as recommended in the prospectus to Congress by GSA be acceptable? Yes 485; no 285.

4. If both Langley and the Howard-Anne Arundel areas are acceptable, which of the two do you prefer? Langley preferred, 354; Howard-Anne Arundel preferred, 245.

As stated above, this expression of opinion resulted from a crash meeting of the membership. However, the society submits that the full impact on the operation of the Patent Office due to this contemplated move can best be determined by submission of a more searching questionnaire to the membership and to the nonprofessional staff of the Patent Office.

Respectfully submitted.

PATENT OFFICE SOCIETY,
By EXECUTIVE COMMITTEE.

NOTE

March 26, 1963.

Senator YOUNG. You may continue.

Mr. BLAKESLEE. First of all I would like simply to thank the American Patent Law Association for recognizing our dire need in the Patent Office. Patent attorneys come in and talk to examiners every day concerning their cases. They know the straits we are living in. We, in turn, know, since it involves us, too, the personal inconvenience which will be involved in moving the office, which they have chosen to put up with in order to meet this dire need.

The conditions in the Patent Office are nothing short of deplorable for professional people. There are three or four professional people in a single room, attempting to concentrate, for example, on work such as mine—the analysis of a disclosure of the space satellite with its control system—when there are other examiners in there, any one of whom, or all of whom, may have to conduct an interview while I am attempting to concentrate.

All of our files are there. These files, of necessity, are searched by the public as well as ourselves, since we maintain unofficial files which are also highly useful to attorneys. They are timesaving, these unofficial art breakdowns, and are used all the time.

Other examiners throughout the Office must use our files to look for inventions which are analogous to those found in their arts. So, consequently, we have a constant stream of people in and out of our area.

It makes it crowded, but we can't do anything else; people just have to come in and out. As I say, trying to concentrate on a highly technical or legal problem is very difficult to do and do the job very well. One of the most striking demonstrations of the comparison between conditions where you have no disturbance and conditions under normal daily work routine, comes about on Saturday mornings. I sometimes work on Saturdays when attorneys do not come in, and other examiners are not so numerous around me. I find that it has been beneficial to my work to delay the consideration of the most trying cases until Saturday morning, because I can get so much more done on them.

I feel personally this way about the location. I live in north Arlington, close in, and I am not going to have ready access to the circumferential. If I were to commute, I would have to go through town every day. It would be a long haul, but if we can get this building now that we need so badly, I consider it my duty as a public servant to recommend that the people build this building in their own interests, so I can do my job. I simply have to say this. For me, this will involve getting rid of my house and moving. That is all I can do. I don't like it, but I believe the building must be built as soon as possible.

That is all I have to say personally. Again, I promise you the official word of the whole society.

Senator YOUNG. Yes. Thank you very much.

Are there any questions?

(No response.)

Senator YOUNG. If not, we will now hear from State Senator Charles R. Fenwick of Virginia.

STATEMENT OF CHARLES R. FENWICK, STATE SENATOR, 22D SENATORIAL DISTRICT OF VIRGINIA, ARLINGTON, VA.

Senator FENWICK. Mr. Chairman and gentlemen of the committee: At the outset I want to support completely the need for a new Patent Office facility. The conditions which Commissioner Ladd has indicated to you exist, and, unless we are able to do something about the situation, one of the greatest contributions to industry is going to be materially deteriorated and set back.

I might point out to the gentlemen of the committee that the grant of a patent is not a monopoly. It is a grant of something that did not exist before, and the exclusive right to make use of and sell the device granted by the patent is an award or an incentive for creating something that did not exist before.

This new building is proposed to be geared into industry, and electronic devices will be used so that this information can be made available to industry very rapidly. I think it is one of the most essential and the greatest needs we have, we believe, to get this type of construction.

On the other hand, I want to call to the committee's attention the fact that it is essential that as little impact be made on the personnel of the Patent Office as is possible, and to a lesser degree for those who are located here practicing before the Patent Office.

As the Commissioner pointed out, those people employed in the Patent Office are scientists, engineers, lawyers, and skilled people who are very difficult to obtain, and very expensive to train. The greater impact on them by moving the Patent Office a greater distance is going to be an inducement and an encouragement for them to leave and seek private employment.

Your chairman at the outset asked a very pertinent question: "Why move the Patent Office 40 miles away from here, unless it is absolutely essential to do so?" Obviously, the farther you get away from Washington, the greater the impact is on the employees and on those who are serving and practicing before the Patent Office. This question is particularly pertinent when some 400 acres of land adjacent to the CIA is owned by the Department of Commerce, of which the Patent Office, of course, is a division or a branch. This is about 7 miles from downtown Washington and adjacent to the new Cabin John Bridge. It is accessible from downtown Washington in on an average of about 15 minutes. It is quite close to the new Circumferential Highway and the Dulles Airport.

It should be borne in mind that the use of the Langley site will cost the Government nothing for additional land, and will take no land off the tax rolls of Fairfax County, and is by far the most convenient location mentioned.

Some question has been raised concerning the location of the Patent Office at Langley being in conflict with the Year 2000 Plan. This is

contrary to the facts. Beginning on page 34, and ending on page 47, there are five possible plans submitted. On each the CIA site is shown by a black dot as a subcenter. The recommended plan is on pages 46 and 47, where once again the CIA site is shown as a subcenter.

It is neecssary to read the text to get a definition of subcenter. The reading of the text defines subcenter as a smaller new city and a center of population, commercial activity, and employment.

The placing of the Patent Office adjacent to the CIA would simply add population, and in no sense do violence to the Year 2000 Plan.

The location of the Patent Office on the Langley site has the overwhelming approval of the employees of the Patent Office. I say that because such a survey was made prior to this present suggestion as to a new site, and these are the quotations from the Patent Office itself. What it will be toward a new site, you just heard the statement on. A survey shows that as applied to the present personnel in the Patent Office, driving time to the proposed new Langley site would be 7 minutes less on the average than it is to the present building.

The Patent Office checked the location of all these people, and checked their time, and this was their conclusion. It would drop from 39 minutes to 32 minutes. The average driving time for attorneys practicing before the Patent Office, who reside in the Washington area, shows 26 minutes from their residences to the new site. There are currently 17 buses scheduled each day to Langley, which undoubtedly would increase with the demand.

It must be remembered that even if the money is appropriated by the present Congress, it would be 4 or 5 years before the building would be completed. So we are not talking about conditions as they exist today, but what they may be in the next 4 or 5 years.

The opening of the Cabin John Bridge—and if any of you have not been up in that area and want to take a very pleasant drive, just go over the Memorial Bridge and drive up the George Washington Memorial Parkway to the Cabin John Bridge, and you will see an amazing sight, with a network of roads, and you will see what it has done. It is immediately adjacent to this 400-acre tract owned by the Bureau of Public Roads, which is under the Commerce Department. Surely it was intended that this 400 acres was going to be used by the Government without having to go out here and find another site at an expense to somebody. At least it will be taken off the tax rolls even if it is given to the Government. We cannot visualize that when this land is available.

I would urge each member of the committee, if they are sufficiently interested in it, simply to take a little trip and go up there and look this site over.

The opening of the Cabin John Bridge and the extension of the George Washington Memorial Parkway on the Virginia side of the river, which has just been done, will materialy improve traffic circulation. Fully as significant, however, is the extension of the George Washington Memorial Parkway up the Maryland side of the river to the Capital Beltway. This is under construction and will mean that people from Northwest Washington can get on the Maryland side of the parkway and cross over Cabin John Bridge to the Patent Office without using the existing bridges, or adding to the congestion of Chain Bridge. The opening of the McLean bypass has materially

alleviated traffic congestion in that area. Even greater relief is in prospect when Route 66 is completed, so that people in the McLean area and elsewhere can use the beltway without going into McLean and Langley.

The opening of the Roosevelt Bridge will permit the George Washington Memorial Parkway traffic to flow into Washington at a much greater rate than is now the case. I am sure that members of the committee are familiar with the new beltway which is being constructed from Woodrow Wilson Bridge just below Alexandria, which swings on around the Cabin John Bridge, and the fact that the Dulles Airport access road, which is now a limited-access highway for four lanes, will merge with Route 66, which will be made eight lanes instead of four, which will permit the traffic to come in and flow in through Route 66, and will go down to Rosslyn over the new Roosevelt Bridge or the Three Sisters Bridge, when that is constructed.

The point I am making is that in the next 4 or 5 years you are going to have a tremendous trend of traffic away from that particular area, from people who are in that area, through other media, and the fact that the Cabin John Bridge has been opened will permit these people to come into that area without a great deal of transference.

The Governor has stated that if the Patent Office is located at Langley, he will recommend top priority for the widening of Route 123 from Chain Bridge to the parkway, to four lanes.

The New Patent Office Building must be especially designed for computers and electronic equipment, and will require approximately 2 million square feet and parking space for 2,400 automobiles. The Government-owned land at Langley is adeqaute in every way for such a building and required parking.

It is highly desirable that there be as little impact as possible on present personnel in the Patent Office, and those practicing before it. Personnel of the Patent Office, who are mostly engineers, scientists, and lawyers, if lost to the Patent Office because of a major move, would cripple this most important branch of Government. Moving the Patent Office a substantial distance away could very easily cause these highly skilled people to leave the Government, and would also seriously disrupt the livelihood of many attorneys specializing in patent law.

I might say, and I failed to say it at the opening of my statement, that my name is Charles R. Fenwick. I am a member of the law firm specializing in law of Mason, Fenwick & Lawrence—a senior partner.

In order to lessen this impact, the Legislature of Virginia in its 1962 session authorized those who were qualified to practice before the Patent Office to continue such practice should the Patent Office be moved to Virginia. This presents a very serious problem if the Patent Office is moved to one of the other States; that is, the question as to whether or not they will be permitted to practice. We anticipated this in the 1962 session of the General Assembly and passed a bill, which I will file with the committee, authorizing those people who are now permitted to practice before the Patent Office, to continue to do so in the State of Virginia, should the Patent Office be moved there. So that there will be no impact from that standpoint at all.

The County Board of Supervisors for Fairfax and the Fairfax County Planning Staff, the Fairfax Chamber of Commerce, and the Northern Virginia Builders Association, and the McLean Business & Professional Association, have indicated approval of the location of the Patent Office at Langley.

It is submitted in view of the foregoing advantages of the Langley site, it should be selected for the site of the Patent Office, and, if necessary, Congress should make this designation rather than select some site 25 to 30 miles away, where land must be bought by the Federal Government or taken off the tax rolls, in any case, thus depriving the locality of this revenue.

Mr. Chairman and gentlemen of the committee, I would like to file with the committee as exhibits a copy of the law which was enacted by the 1962 session of the general assembly, which would permit those people, regardless of where they are now practicing law, to perform those duties required by the Patent Office should it be located in Virginia.

Senator YOUNG. The exhibits of the Senator will be received and made a part of the record of the committee, and any exhibits you offer will be made a part of the record.

Senator FENWICK. Thank you, sir.

(The exhibit referred to, entitled "Senate Bill No. 276," is as follows:)

SENATE BILL No. 276

Offered February 19, 1962

A BILL to authorize attorneys recognized to practice before the U.S. Patent Office in patent or trademark cases to practice patent or trademark law in Virginia so long as the U.S. Patent Office, or any part thereof, is located in Virigina, without being licensed as attorneys at law in Virginia, under certain conditions; to define such practice; and to require a license of and impose a license tax upon any such attorney who maintains an office in this State.

Patrons—Messrs. Fenwick, Stone, Bateman, Spong, Perrow, Hutcheson, Breeden, McCue, Wilson, Marsh, Carter, Collins, Purcell, Long, Ames and Landreth

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Referred to the Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. § 1. So long as the U.S. Patent Office or any part or division thereof is located in Virginia, as attorney recognized to practice before the U.S. Patent Office in patent or trademark cases shall be authorized to practice patent or trademark law in Virginia without being licensed or authorized as an attorney at law in Virginia by the Superme Court of Appeals or by the State Board of Bar Examiners, and without becoming a member of the Virginia State Bar.

§ 2. For the purposes of this act "an attorney recognized to practice before the U.S. Patent Office in patent or trademark cases" is defined as any one who is duly authorized to practice law in any state or territory of the United States, or the District of Columbia, and who also is entitled under the rules of the U.S. Patent Office to represent another in a patent or a trademark case; and to "practice patent or trademark law" is defined to mean to perform all necessary professional services with respect to patent or trademark matters, concerning which being recognized to practice before the U.S. Patent Office for the performance of such services is required, and includes the preparation and filing of copyright applications and assignments thereof in the Copyright Office of the Library of Congress.

§ 3. This act shall not be construed to authorize an attorney recognized for practice before the U.S. Patent Office in patent or trademark cases to appear

in any court or in any tribunal other than the tribunals of the Patent Office, nor to hold himself out as authorized to practice law generally in Virginia.

§ 4. The commissioners of revenue are authorized, upon the payment of a revenue license fee of fifteen dollars per annum, to issue a revenue license to any attorney recognized for practice before the U.S. Patent Office in patent or trademark cases maintaining an office or place of business in this State, which license shall entitle the holder thereof to practice patent or trademark law only as defined in this act. A separate license shall be required for each person so practicing patent or trademark law, and such license shall not be prorated. Provided, however, that no additional State revenue license shall be required of any person to practice patent or trademark law if such person is regularly licensed in Virginia as an attorney at law.

Mr. FENWICK. I would like to file with the committee a letter from the Governor of Virginia, directed to the Honorable Luther H. Hodges, dated February 5, 1962, urging and inviting the Patent Office to locate on the Virginia territory near the CIA.

Senator YOUNG. All right. That will be received.

(The letter dated February 5, 1962, from Governor Harrison, is as follows:)

FEBRUARY 5, 1962.

Hon. LUTHER H. HODGES,
Secretary of Commerce,
Commerce Building, Washington, D.C.

DEAR MR. SECRETARY: It has come to my attention that the Patent Office will probably be removed from the Commerce Building and located in its own building at a new location. I am further informed that among sites being considered is one in Virginia adjacent to the present CIA building.

The Commonwealth of Virginia would welcome within its borders an old line agency such as the Patent Office, and as its chief executive, I assure you of my fullest cooperation in obtaining this objective.

Please be assured that my office is at your disposal in this connection.

Sincerely yours,

A. S. HARRISON, Jr.

Senator FENWICK. I would also like to put in evidence a letter from the Governor which indicated he would give top priority to the improvement of Route 123, should it be located at that point.

Senator YOUNG. That will be received also.

(The letter dated April 12, 1962, from Governor Harrison is as follows:)

COMMONWEALTH OF VIRGINIA,
GOVERNORS OFFICE,
Richmond, April 12, 1962.

Hon. CHARLES R. FENWICK,
Arlington, Va.

DEAR CHARLIE: Pursuant to your inquiry as to the plans of the State to improve Route 123 from Chain Bridge to its intersection with George Washington Parkway (1.1 miles) you are advised as follows:

According to information furnished by the highway department plans for the widening and improvement of this particular stretch of road have been in existence for some time, however, I am advised that the plans for this particular 1.1 miles were suspended in the interest of more urgent needs and in order to determine what effect the parkway would have on relieving conditions from the parkway to Chain Bridge. I am now advised that the present traffic count on the two lanes from the parkway to the bridge is approximately 11,000 vehicles per day which, of itself, renders the existing 30 foot right-of-way and 18 foot of pavement inadequate.

Under these circumstances, should any major development occur which would result in appreciable additional traffic on the 1.1-mile strip, such as the proposed moving of the Patent Office to the CIA site, I would hope that measures would be taken as soon as possible by the highway department to widen and improve the 1.1-mile strip.

I trust that this answers your inquiry.

Sincerely yours,

ALBERTIS.

Senator FENWICK. Mr. Chairman, I would like to file with the committee a photostatic copy of a resolution adopted by the Board of Supervisors of Fairfax County, welcoming the Patent Office to that site at Langley.

Senator YOUNG. That will be received.

(The resolution of the Board of County Supervisors of Fairfax County, Va., dated November 7, 1962, is as follows:)

At a regular meeting of the Board of County Supervisors of Fairfax County, Va., held in the board room in the county office building at Fairfax, Va., on Wednesday, November 7, 1962, at which meeting a quorum was present and voting, the following resolution was adopted:

Whereas the Secretary of Commerce has suggested at Senate hearings that a new and separate building for the Patent Office is under consideration; and

Whereas the Secretary of Commerce is desirous that the Patent Office and its services be closely associated with industrial development and business; and

Whereas it is planned that the new building to house the Patent Office will be equipped with computers and other electronic devices to expeditiously provide industry with information as to the state of development in various industrial fields so that expansion in those fields may be encouraged; and

Whereas the location of the Patent Office in a building so designed and equipped will attract industry and be of great benefit to the Fairfax-northern Virginia area; and

Whereas the Department of Commerce now owns some 400 acres in the vicinity of Langley, Va., and the location of the Patent Office there would not necessitate the acquisition of additional land depriving the county of taxable property; and

Whereas the Patent Office is one of the old-line agencies whose 2,500 employees are largely scientists, engineers, and lawyers, having a payroll of over $20 million a year; and

Whereas the location of the Patent Office on the Langley site would attract not only industry, but also the construction of many fine homes by persons engaged in practice before the Patent Office: Now, therefore, be it

Resolved, That the Fairfax County Board of Supervisors welcome the Patent Office to Virginia, and urge that it be located on the property now owned by the Commerce Department at Langley, Va.; and be it further

Resolved, That copies of this resolution be transmitted to the Honorable Luther H. Hodges, Secretary of Commerce, to Senator Harry F. Byrd, to Senator A. Willis Robertson and to Congressman Joel T. Broyhill.

A copy—Teste:

EDNA A. BICKSLER,
Clerk of said Board.

Senator FENWICK. That concludes my presentation.

(The prepared statement of Mr. Fenwick is as follows:)

STATEMENT OF CHARLES R. FENWICK

The question may well be asked: "Why move the Patent Office 35 miles from its present site?" This question is particularly pertinent when some 400 acres of land adjacent the CIA is owned by the Department of Commerce, is about 7 miles from downtown Washington, adjacent the new Cabin John Bridge, is accessible from downtown Washington on an average of 20 to 25 minutes, and is quite close to the new circumferential highway and the Dulles Airport.

It should be borne in mind that the use of the Langley site will cost the Government nothing for additional land, will take no land off the tax rolls of Fairfax County, and is by far the most convenient location mentioned.

Some question has been raised concerning the location of the Patent Office at Langley being in conflict with the Year 2000 Plan. This is contrary to the facts. Beginning on page 34 and ending on page 47, there are five possible plans submitted. On each, the CIA site is shown by a black dot as a subcenter. The recommended plan is on pages 46 and 47, where once again the CIA site is shown as a subcenter. A reading of the text defines subcenter as a smaller "new city" and a center of population, commercial activity, and employment. The placing of the Patent Office adjacent the CIA would simply add population, and in no sense do violence to the Year 2000 Plan.

The location of the Patent Office on the Langley site has the overwhelming approval of the employees of the Patent Office, and a survey shows that as applied to the present personnel in the Patent Office, driving time to the proposed new Langley site would be 7 minutes less on the average than it is to the present building. It would drop from 39 minutes to 32. The average driving time for attorneys practicing before the Patent Office who reside in the Washington area shows 26 minutes from their residences to the new site. There are currently 25 buses scheduled each day to Langley, which undoubtedly would increase with demand.

It must be remembered that even if the money was appropriated by the present Congress, it would be 4 or 5 years before the building would be completed.

The opening of the Cabin John Bridge and the extension of the George Washington Parkway on the Virginia side of the river has materially improved traffic circulation. Fully as significant, however, is the extension of the George Washington Parkway up the Maryland side of the river to the Capital Beltway. This is under construction and will mean that people from northwest Washington can get on the Maryland side of the Parkway, cross over John Cabin Bridge to the Patent Office without using the existing bridges or adding to the congestion of Chain Bridge.

The construction and opening of the McLean bypass has materially alleviated traffic congestion in that area. Even greater relief is in prospect when Route 66 is completed so that people in the McLean area and elsewhere can use the Beltway without going into McLean and Langley. The opening of the Roosevelt Bridge will permit the George Washington Parkway traffic to flow into Washington at a much greater rate than is now the case.

The Governor has stated that if the Patent Office is located at Langley he will recommend top priority for the widening of Route 123 from Chain Bridge to the parkway to four lanes.

The new Patent Office building must be especially designed for computers and electronic equipment, and will require approximately 2 million square feet and parking space for 2,400 automobiles. The Government-owned land at Langley is adequate in every way for such a building and required parking.

It is highly desirable that there be as little impact as possible on present personnel in the Patent Office and those practicing before it. Personnel of the Patent Office, who are mostly engineers, scientists, and lawyers, if lost to the Patent Office because of a major move, would cripple this most important branch of Government. Moving the Patent Office a substantial distance away could very easily cause these highly skilled people to leave the Government; and it would also seriously disrupt the livelihood of many attorneys specializing in patent law.

In order to lessen this impact, the Legislature of Virginia in its 1962 session authorized those who were qualified to practice before the Patent Office to continue such practice should the Patent Office be moved to Virginia.

The County Board of Supervisors for Fairfax, the Fairfax County Planning staff, Fairfax Chamber of Commerce, Northern Virginia Builders Association, and McLean Business and Professional Association have indicated approval of the location of the Patent Office at Langley.

It is submitted that in view of the foregoing advantages of the Langley site, it should be selected for the site of the Patent Office, and, if necessary, Congress should make this designation rather than select some site 25 or 30 miles away where land must be bought by the Federal Government and taken off the tax rolls, thus depriving the locality of this revenue.

Respectfully.

CHARLES R. FENWICK.

TRAFFIC PATTERN LANGLEY SITE NEXT 5 YEARS

The Patent Office on the Bureau of Public Roads tract at Langley, Va., will by the time its buildings are completed, be in the middle of the finest, most up-to-date highway network in the whole metropolitan area. The following facilities will then be in use or substantially completed.

1. The Capital Beltway and the Cabin John Bridge, both now in use and already relieving congestion in McLean and on Chain Bridge.

2. Route 123 as a four-lane road from this site to Chain Bridge. Governor Harrison has pledged this project the highest priority if the Patent Office comes to Langley.

3. Route 123 southward from this site to Tyson's Corner is now a four-lane road, recently opened and know as Dolly Madison Boulevard.

4. The George Washington Parkway, bounding the Public Roads tract on the north, is now open as a four-lane road from the area of the new Roosevelt Bridge, Memorial Bridge, and Key Bridge westward to the Capital Beltway and the Cabin John Bridge.

5. The Maryland counterpart of the George Washington Parkway now under construction eastward from the Capital Beltway at the Cabin John Bridge to tie into the District of Columbia street and expressway system between Chain Bridge and Key Bridge. This construction, with that in Virginia, will provide on the two sides of the Potomac a total of eight lanes, creating a wholly new traffic corridor.)

6. Route 193, westward from the Bureau of Public Roads tract to the Capital Beltway, will be four lanes, as it is now in the current 5-year plan of the Virginia Department of Highways for improvement.

7. Interstate Route 66, passing only a few miles south of McLean will not only provide access for the McLean area but will siphon off much of the through traffic now using Route 123 past the Public Roads tract and eastward to Chain Bridge.

8. The Dulles Airport Access Road, now built to four lanes and in use from the south side of McLean westward to Dulles Airport. This road will be extended eastward to join Interstate Route 66, southeast of McLean. The Dulles Airport traffic now using Route 123 and the George Washington Parkway undoubtedly will switch over to Route 66 and enter Washington over the new Roosevelt Bridge.

Mention must also be made of the improving situation in the bridge crossings of the Potomac River that will benefit this site. They are:

1. The new Cabin John Bridge on the Capital Beltway a short distance west of the Public Roads tract has just opened and is proving a tremendous convenience to the people of northwest Washington, Virginia, and Maryland.

2. The Roosevelt Bridge, at the end of Constitution Avenue, is well along in construction and will be open long before the Patent Office Building can be completed and put into use.

3. The Three Sisters Bridge, construction of which now seems both possible and probable through the emerging agreement between the National Park Service and the District of Columbia, on a basis that promises to preserve the Glover-Archbold Park on the one hand and to provide the District important traffic relief on the other.

In considering the remarkable network of roads that now exists or will be provided for the Patent Office should it locate on the Bureau of Public Roads tract at Langley, one must bear in mind that the utility of these roads will be greater here than for a similar governmental facility located downtown. The reason for this increased utility for the Langley location is that in that area the traffic peak occurs on the inbound lanes on most of the roads in the morning and on the outbound lanes on most of the roads in the evening. Thus traffic to the Patent Office, particularly that of its employees living in the District, will be mainly on the lightly used outbound lanes in the morning and the lightly used inbound lanes in the evening. This counterflow of traffic will permit better use of the highway system and will drastically lessen the impact on the community.

In summary, it may be said that the highway network that will be available to the Patent Office should it be located on the Bureau of Public Roads tract at Langley, will be more than adequate to meet the demands upon it. This network of highways will be unsurpassed anywhere else in the metropolitan area, and will confer upon the Patent Office, its employees, all who have occasion to appear before it or use its facilities, and the general public a convenience of location that will enable it to perform its function and discharge its responsibilities in a way not heretofore possible.

CHARLES R. FENWICK.

Senator YOUNG. Any questions, Senator Cooper?

Senator COOPER. Has any estimate been made of the acreage that would be required to construct the Patent Office, with parking space and all the other facilities required, if it should be located at Langley?

Senator FENWICK. Senator Cooper, the Patent Office indicated they

would need 100 acres for the building and the parking facilities that would go with it. I might say that there are 400 acres up there.

Senator COOPER. Thank you.

Senator YOUNG. Are there any other questions?

Senator COOPER. I think he made a persuasive statement.

Senator YOUNG. He made a very fine statement, and we appreciate your coming.

May I express our apologies for causing you to be the last witness to be heard?

Senator FENWICK. That is all right, sir. I appreciate the opportunity to be before the committee, and I might say both of the Senators from Virginia concur in this statement, as far as the location of the Patent Office site is concerned.

(A letter from Senator A. Willis Robertson follows:)

U.S. SENATE,
COMMITTEE ON BANKING AND CURRENCY,
March 21, 1963.

Hon. STEPHEN M. YOUNG,
Chairman, Subcommittee on Public Buildings and Grounds, Public Works Committee, U.S. Senate, Washington, D.C.

DEAR Mr. Chairman: The fine statement that has been presented to your committee by the Honorable Charles R. Fenwick of Arlington, Va., in support of a site at Langley, Va., for the proposed Patent Office Building has my full support and endorsement.

That federally owned site near the CIA Building is clearly the best and most convenient location I have heard mentioned. A majority of the Patent Office employees favor the Langley site and no poll now to find out if they will move to Maryland to keep their jobs can be expected to reflect their true sentiment.

In addition, a majority of attorneys whose practice takes them to the Patent Office favor the Langley site, which is more accessible to their Washington offices and homes than the one recommended by the General Services Administration. There is no doubt, in my opinion, that the highway development described in one of the exhibits submitted by State Senator Fenwick will be completed before an office building can be erected and put into operation. These improvements will take care of the only objection I have heard the GSA make to the Langley site.

In view of the many advantages cited by Senator Fenwick, I hope you will agree that the Langley site should be recommended for a new Patent Office Building.

With every good wish, I am

Sincerely yours,

A. WILLIS ROBERTSON.

(Memo: Portion of Patent Commissioner Ladd's speech before American Patent Law Association on January 23, 1962, in Cotillion Room, Sheraton-Park Hotel, Washington, D.C., submitted by Senator A. Willis Robertson.)

The Department is not committed to a definite location for the Patent Office, and as a matter of fact is intentionally not committing itself to a definite site. I, myself, am more interested in a building than I am in its particular location, but that does not change the fact that I strongly am in favor of the Langley site and I would like to tell you why.

The first reason is very simple. We are going to need a building which is constructed for our special needs and which gives us room for expansion. You have already seen from the statistics that I have given you how the Patent Office space needs have grown in the past few years. As a matter of fact, when the Department of Commerce Building was occupied for use, the north one-third of the building was allocated for Patent Office use. At that time this was deemed to be adequate space for expansion in the future.

As of today, we occupy one-half the space in the Department of Commerce Building, plus the space that we have on the outside at 1801 K and on G Street, and I think that we have to assume that, while it may not grow at the same rate—

indeed it may grow at a faster rate—we will have to have room for expansion elsewhere.

If our present-day needs were taken care of by decent standards we would have to occupy the entire Department of Commerce Building, and in the future the equipment which we will have to install, such as information retrieval systems and the production of photocopies by electronic means, would require renovations in that building which would be at least equal to the cost of a new building.

The joint occupancy of the Department of Commerce with other agencies has turned out to be totally unsatisfactory and could not be expected to be any more satisfactory in the future. The reasons are simple: Every time we have to have an additional allotment of space in the Department of Commerce, it turns out to be a Federal case; it turns out to be subject to the delays which all moves of this sort are subject to; and by the time we have the space which we requested, it's time to request the next allotment of space.

I want to tell you where Langley is and what it represents in terms of convenience and inconvenience to the people who work in the Office and to practitioners in Washington and to practitioners outside Washington.

Langley is located about 7 miles up the Potomac River at the end of the George Washington Parkway. The site is immediately adjacent to the CIA building there. As a matter of fact, the CIA building was built on a tract which was ceded to them for that purpose from the Department of Commerce land and that leads me to the most important point on: Why Langley?

The Department of Commerce presently owns a substantial tract of land at Langley on which, if appropriations were available, we would be able to begin construction immediately and, of course, I would like to have this building built and occupied not 10 or 15 years from now, but within 5 years, which would be the optimal time, assuming optimum clearances all the way through.

This land is accessible from 14th and E in an average of 15 minutes, and these measurement have been taken at all times of day. The road leading from Memorial Bridge and from Key Bridge to the site, is a divided four-lane limited-access, no-traffic-light highway. There would be, of course, space for parking 2,500 cars for people working in the Office and people coming to do business before the Office.

It will be quite close to the new circumferential highway which will run around Washington.

We plotted all of our people in terms of their residence and traveling time to the present site in the Department of Commerce building. It turns out that the driving time—access time to the new building—would be 7 minutes less on the average than it is to the present building. It would drop from 39 to 32 minutes.

We also checked out the residences of all the attorneys practicing before the Office in Washington and the average access time from their residences to the new site would be 26 minutes.

Now, I do not intend to argue that the movement to the Langley site would not cause inconveniences. It would. While it would not be necessary in every case, no doubt some of the firms and practitioners in Washington would want to move their offices to Langley, but I contend two things: One, if these plans become definite, the actual occupancy of the building would be sufficiently distant to allow the bar to make these adjustments with the minimum of discomfort; and the second, is that, on balance, while there may be inconvenience, such a move is so much in the interest of the Patent Office that it deserves our support.

I know that there are people who disagree with this view. I am not interested in maximizing or increasing the discomfort of people who have to practice before the Office at all. I assure you that in whatever I have to do in making these plans, we will take every step that we possibly can to make it as comfortable as possible. But I am convinced that this is in the best interest of the Office and for that reason I intend to continue to support the position that the Patent Office should have a new building and that it should be located at Langley.

Senator YOUNG. The Chair observes it is 12:15 p.m. We have been in constant session since 10 a.m. But the Chair also observes that there are a number of interested individuals here in this room. We would like to state that any of those who desire to do so may submit their statements in writing, and those statements will be received in

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connection with the hearing here; but the Chair suggests if any of those seated here—and it is the understanding of the Chair there are some residents of Annapolis and perhaps there are also some residents of Langley, Va., here—should any of you desire to submit statements, please do so in the next few days, because there will not be much delay on the part of the subcommittee, nor on the part of the main Committee on Public Works, in considering this matter.

Is there anything further?

Senator COOPER. Yes. Mr. Chairman, when the various recommendations of the General Services Administration were sent to the Public Works Committee, a prospectus was included recommending the construction of an Internal Revenue Service Processing Center at Covington, Ky., and I believe at other points also. I note that in the list of projects which have been submitted to the committee the prospectus for Covington and other Internal Revenue Service processing centers have not been submitted to the committee at this particular meeting.

I understand that the Secretary of the Treasury is reviewing the question of the establishment of Internal Revenue Service regions, and that involves the question of the location of various processing centers. He has not yet made that decision.

I would like to ask the chairman if that is the reason why these recommendations are not being considered at this meeting.

Senator YOUNG. The Chair so understands, and as soon as that matter is submitted to the chief clerk of this committee then, without much further delay, we will go ahead and program that for a hearing before the subcommittee.

Senator COOPER. Thank you.

Senator YOUNG. And your interest in that is so well known that you will be notified of that hearing.

Senator COOPER. I thank the chairman.

Senator YOUNG. The subcommittee stands adjourned.

(Whereupon, at 12:25 p.m., the subcommittee adjourned.)

(Additional communications received are as follows:)

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., March 27, 1963.

HON. PAT MCNAMARA,
Chairman, Public Works Committee, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: I am sorry that committee business prevented me from appearing before your committee last week when you were considering the proposal to locate the Patent Office in Anne Arundel County, Md.

It is my understanding that officials of the Patent Office favor this site and that an individual from Annapolis is willing to donate the land required for construction of this new headquarters. It seems to me that this is a very generous offer, which will result in great savings to the taxpayers and for this reason I am wholeheartedly in favor of locating the Patent Office in Anne Arundel County.

I realize that your committee hearings have already been completed, but I will appreciate it if this letter can be made part of the record.

Thank you for your favorable consideration of this proposal, and with warmest personal regard, I am,

Sincerely,

SAMUEL N. FRIEDEL,
Member of Congress.

FAIRFAX COUNTY CHAMBER OF COMMERCE,
Fairfax, Va., March 21, 1963.

Hon. STEPHEN M. YOUNG,
Senate Public Works Committee,
Washington, D.C.

DEAR SENATOR YOUNG: Much to our regret we were unaware of the hearing held on March 20 by your subcommittee concerning relocation of the Patent Office and thereby were unable to present facts which we believe merit your serious consideration since they bear directly on both public and private economy as well as on the efficient operation of this public service.

The directors of the county chamber gave much consideration to the subject early in 1962 and by resolution extended a cordial invitation to Secretary Hodges and Commissioner Ladd to relocate on the Department of Commerce property adjacent to the CIA site at Langley, Va. This welcome was reaffirmed by resolution 2 weeks ago which added available sites between Dulles Airport and the CIA site should the latter prove unsatisfactory.

Repeating briefly the advantages of the Fairfax County sites, your attention is respectfully called to:

1. The Langley site is Federal property immediately available and of ample acreage with all services available.
2. The location is unsurpassed in the Metropolitan Washington area since it lies between Dulles International Airport and the District, adjacent to the Capitol Beltway and George Washington Parkway as well as the Airport Access Road. Cabin John Bridge on the beltway and Route 123 (to be four lanes) to Chain Bridge offer immediate access to Montgomery County and Northwest Washington where the bulk of employees and clients live. The parkway to National Airport and downtown Washington requires but 15 minutes driving time to these areas.
3. The location has superior esthetic advantages while being adjacent to a residential area of high standards.
4. It is close to the rapidly developing community of research firms and modern office buildings at Tysons Corner, the commercial hub of northern Fairfax County.
5. Governor Harrison, the Virginia delegation in Congress, the governing body of Fairfax County, the business and professional community, and the majority of residents of Fairfax County have extended a warm invitation to this facility. This is further evidenced by the offer of other highly advantageous sites along the corridor from Dulles Airport to the Capitol Beltway.

It is requested that your committee give full consideration to the Langley, Va., site for the U.S. Patent Office.

Respectfully,

R. W. GROW,
Executive Director
(For the Board of Directors).

GENERAL MOTORS CORP.,
WASHINGTON OFFICE OF THE PATENT SECTION,
Washington, D.C., March 22, 1963.

Hon. STEPHEN M. YOUNG,
Committee on Public Works, Subcommittee on Public Buildings and Grounds,
U.S. Senate, Washington, D.C.

DEAR SIR: Having been in attendance at your committee hearing on March 20, 1963, I should like to take this opportunity to express my personal views with respect to relocating the Patent Office.

First, the need for a new building is evident.

Second, it is unnecessary to move a distance of forty miles when a desirable site is available within a distance of fifteen miles in any direction from downtown Washington.

Third, priority of this building under the Year 2000 Plan is inconsistent with its urgent need.

If I may be of any assistance in this matter, please advise.

Very truly yours,

CHARLES R. ENGLE,
Registered Patent Attorney, District of Columbia Bar,
Virginia State Bar.

MARCH 20, 1963.

DEAR SIR: The proposed relocation of the Patent Office is of great interest to me since my husband is a patent examiner. We have just returned to Washington after 3 years' absence, and the fact that the Patent Office is in the city was a major factor in our decision.

At first glance I have difficulty seeing why the Patent Office must move out of town rather than some other agency—such as the CAB for instance. But if it it must, then please may I vote in favor of the Langley site. Besides the fact that this site is already owned by the Commerce Department, and thus cheaper, it also has public transportation facilities and is close enough to town for people to be not too far from work, and yet within reach of Washington's cultural and social activities. Most of the patent families I know live in northern Virginia or in Montgomery County, both within easy distance of Langley. Both locations have good schools for the children and good shopping for the family. They also have a variety of homes in wide price ranges. This is vital to me, since I expect to buy a house next year, and frankly, the idea of moving near Annapolis is catastrophic. I have just spent 3 years in a small town in the middle of Michigan, and want no part of this country setup any more. I enjoy taking my daughter to the zoo, to the Smithsonian, etc., and my husband and I have a lot of concerts and shows to catch up on.

Like us, many patent examiners have their friends and families in town. How often would we see them if we lived near Annapolis? After being away we do appreciate friendships even more than before.

I feel very inadequate at putting down my feelings, which are strong enough to cause me to write this, my first letter to a Member of Congress. Had I known hearings were to be held, I would have liked to testify. Please take into consideration my letter; I know that many other wives are just as upset as I am at the prospect of the dislocation a move to Howard or Anne Arundel County would entail. We feel Langley would be much better. At least, it's in a nice area close enough to town.

Thank you for your consideration.

Sincerely yours,

THERESE J. ROSEN.

STATE OF MARYLAND,
COMPTROLLER OF THE TREASURY,
Annapolis, Md., March 21, 1963.

SENATE PUBLIC WORKS SUBCOMMITTEE,
Senate Office Building,
Washington, D.C.

DEAR SIRS: I wish to take this means to recommend that Anne Arundel County, Md., be selected as the site for the proposed multimillion-dollar U.S. Patent Office.

Anne Arundel County lies in the center of the golden triangle of Washington, Baltimore, and Annapolis, with a network of high-speed, nonaccess arterial highways making it approximately 30 minutes from the Nation's Capital.

If the Patent Office were to be located in Anne Arundel County, it would be easily accessible to the many thousands of patent attorneys and the staff and employees of that division of government who now reside in the Washington area.

The Maryland and Washington, D.C. area is fast becoming an electronic capital of the Nation, with many new industries locating in this area, and it would be most advantageous to have the Patent Office located in this vicinity.

Our office would be very happy to cooperate with you, the Patent Office, the General Services Administration, and other interested parties, in the event we can furnish any additional information.

With kindest regards and best wishes, I am,

Cordially yours,

LOUIS L. GOLDSTEIN.

THE ANNAPOLIS CHAMBER OF COMMERCE, INC.,
Annapolis, Md., March 21, 1963.

Senator STEPHEN M. YOUNG,
Senate Public Works Committee,
New Senate Office Building,
Washington, D.C.

DEAR SENATOR YOUNG: Enclosed find a resolution passed by the chamber of commerce board of directors pointing out the need and desirability of the Patent Office locating here.

We would like to point out that our site is exactly 20 miles from the Senate Office Building and only 20 to 25 minutes drive from Annapolis. After we left the Senate Office Building yesterday, we went directly to the Patent Office and, believe it or not, it took us 20 minutes to find a parking lot or garage that was not filled.

By 1980, an official of the Census Bureau told us, Washington, Annapolis, and Baltimore will be one solid city; in other words the time isn't too far away when Annapolis will be part of Metropolitan Washington.

We hope that you will give us your support for the Annapolis location.

Cordially,

GENE GOSCH, *Manager.*

THE ANNAPOLIS CHAMBER OF COMMERCE, INC.,
Annapolis, Md.

A RESOLUTION

Whereas the Annapolis Chamber of Commerce is an organization of business and professional men and women of the Greater Annapolis area dedicated to, and striving for, the improvement of the business and civic interests of the community and the advancement of economic conditions therein; and

Whereas the members of the Annapolis Chamber of Commerce are fully aware of the benefit to the Greater Annapolis area resulting from the U.S. Patent Office locating here with more than 3,000 employees; and

Whereas the Annapolis Chamber of Commerce realizes that the Patent Office will mean more than $18 million per year increase in personal incomes; an increase of $11 million per year in retail sales; an increase of more than $8 million per year in bank deposits and thousands of new taxpayers in Annapolis, Anne Arundel County, and Maryland, because of the 3,000 employees who will be homeowners; and

Whereas the members of the Annapolis Chamber of Commerce are convinced that location of the U.S. Patent Office in Annapolis area is vital to the economic life of the city of Annapolis and Anne Arundel County: Now, therefore, be it

Resolved by the Annapolis Chamber of Commerce, That, (1) Its members heartily endorse the desirability of the U.S. Patent Office locating in the Greater Annapolis area; (2) most citizens, likewise, urge the location of the U.S. Patent Office here; and (3) its officials will work with vigor to obtain the final decision for location in the Annapolis area of the U.S. Patent Office.

Duly approved this 18th day of March 1963 and certified by the officers and directors of the Annapolis Chamber of Commerce at Annapolis, Md., with copies to: Secretary of Commerce, Maryland Congressmen, Maryland Senators, Gov. J. Millard Tawes, and the President of the United States.

ELMER M. JACKSON, Jr.,
President.
GENE GOSCH, *Manager.*

[From the Evening Capital, Annapolis, Md., Mar. 21, 1963]

COUNTY SHOULD GET PATENT OFFICE

Virginia State Senator Charles R. Fenwick is making a big mistake in trying to use mileage as a weapon in claiming a Virginia site for the relocation of the U.S. Patent Office as superior to the 50-acre tract offered free to the Government near Annapolis.

To begin with, the Annapolis area site, on the John Hanson Highway, is located 20 miles from the District of Columbia line and 25 miles from the U.S. Capitol. Owners of the 800-acre tract, of which the 50-acre gift offer is a part, are Walter L. Green, Hyattsville attorney, and Marcus C. Gibson, of Greenwood Acres.

Senator Fenwick, at yesterday's Senate Public Buildings Subcommittee hearing on the question, declared that a site in Virginia, 7 miles from Washington, was superior to the Annapolis location, which he described as 40 miles from the District.

Why this atrocious error of Senator Fenwick's in claiming the Annapolis site mileage to be 40 miles went unchallenged we will never know.

To compound the error, the senator, who lives in Arlington and therefore should know better, said the location of his favored site, near Dulles Airport, is only 15 minutes driving time from downtown Washington.

Recently the editor of this newspaper flew from Miami, Fla., to Dulles Airport in an hour and 55 minutes (actual flying time). It then took him an hour and 25 minutes (actual driving time) to be transported from the airport to downtown Washington.

It only takes 30 minutes to drive from downtown Washington to the Annapolis area site. Therefore it is easy to see that the proposed Virginia site, although closer in mileage, is almost three times as far from downtown Washington in actual driving time.

Our editor, incidentally, traveled from Dulles Airport to Washington on the access road, a $19 million thoroughfare built with Federal funds in the intention of speeding traffic to and from the District and the airfield.

Yesterday a news story told of Federal Aviation Administrator Najeeb E. Halaby complaining to a House subcommittee that Virginia commuters were sneaking onto this special airport road, much to the detriment of airport traffic.

Halaby said he interprets it as the will of Congress that Virginia commuters be kept off this road, but said he was facing a mammoth task in doing so.

We ask anyone who has ever found himself in the Virginia perimeter of Washington during rush hour (which is the time Patent Office employees would be traveling the roadways) if they wouldn't rather drive from Washington to the South River Bridge than battle traffic jams and stoplights for 7 miles into Greater Washington's suburbia.

Some District punsters have joked that the entire Potomac will have to be bridged over on the Virginia side to handle the traffic jams which continue despite the constant addition of new bridges.

This overcrowded condition is a known fact, so why add to the existing confusion in suburban Virginia by building another Federal agency in the middle of an unsolved traffic jam?

From the way Senator Fenwick talked at yesterday's hearing he doesn't seem to know the location of Annapolis area site.

We would like to prove to him that it is much less than his claimed 40 miles distance from downtown Washington.

We therefore challenge him to drive over the route from downtown Washington to the proposed Maryland-Virginia sites as the guest of an Evening Capital staff member.

He will then be shown the error of his claimed mileage to the Annapolis site and the much less traveltime required to reach the Annapolis location from downtown Washington than to get to Dulles Airport.

When Annapolis Was National Capital

When, last December, the Secretary of the Interior named the State House of Maryland a Registered National Historic Landmark, he filled an historic hiatus that had lasted 176 years. For the Maryland State House is the place where, so long ago, an event of unsurpassed national importance occurred. It is the place where the American Revolution ended.

The date was January 14, 1784. At that time, the State House was the U.S. Capitol, insofar as the United States had one. The Continental Congress was meeting in Annapolis, and the Maryland State Government had turned the building over to the national body. The congressional session had begun on the 26th of the preceding November. It lasted until the 13th of the next August. The Maryland State House therefore had the capitolship for nearly 9 months.

The building itself was largely responsible for Congress' presence in Annapolis. The previous meeting place had been Princeton, N.J., but Princeton's accommodations were so painfully inadequate that the session had ended in a chorus of discontent. The Members emphatically declared that Congress should move to a location that would accord with a national legislature's rightful prestige. Maryland offered its State House, which was such a building.

It was new. It had been begun in 1772 but, because of war conditions, had not been completed until 1779. It was, as the contemporary descriptions say, "commodious," having at least six fairly spacious rooms on its main floor, and a broad columned center corridor. As for dignity, the State House stood on the town's highest point, had a soaring dome and was surrounded by a circle of its own grounds. And, finally, the building was beautiful. The Old Senate Chamber, where the sessions would naturally be held, had carvings by the great William

Buckland himself. According to one of the Congressmen, Hugh Williamson of North Carolina, this room was "perhaps the prettiest in America."

There, in that "pretty" place, the American Revolution ended. It was a drama in two acts.

The first occurred at noon on December 23, when George Washington appeared before the Congress and resigned his commission—entered, while the clocks were striking 12, as General Washington, and left an hour later as plain George Washington, Esq.—his career as soldier over. This was the personal, human side of the war's cessation, an occasion of solemn but unrestrained emotion.

There was no one present, said James McHenry, a member from Maryland, who did not "drop tears." Washington himself was moved. Control of his voice failed him and his hand, holding the manuscript of his address, shook.

He had been the very personification of the war and now he was leaving the stage. The responsibilities of peace lay before the statesmen, but as yet dimly. What they saw, that day in the Old Senate Chamber, was the finality of their struggle, the loosening of the tie that had held them all together for so many years in a cause for life or death. And, though they had the victory, they felt the wrench of the ending. Washington had been the Revolution. Washington was going. They wept in sheer emotional release.

Thomas Jefferson was there, author of the Declaration of Independence. So was Richard Lee, a signer, who had offered the resolution that the Declaration be adopted. So was Samuel Chase, a signer, and future Justice of the future U.S. Supreme Court. So was James Monroe, a signer, and future President. So were Paca, Stone, Carroll, Gerry—all signers. So was Gates of Saratoga. None of them men of small control. All of them veterans of the times that tried men's souls. They had not wept while the war went on—only at the ending of their great work, symbolized for them in George Washington's voluntary retirement.

Three weeks later, the second act of the Revolution's finale was played out—also in the Old Senate Chamber. This one was colorless and quick. It was the ratification of the definitive treaty of peace with England. The document was read, the vote taken, and that was all. However, this act was official. Not until it was accomplished was the country recognized as being at peace, not until then had England formally admitted American independence. On that January 14, 1784, in the Old Senate Chamber, the United States became one of the family of nations.

The Continental Congress, experienced only with war conditions, then started on its first attempt to deal with the problems of peace. The first peacetime government of our country was the one that functioned there in Annapolis, in the State House of Maryland.

The record of their proceedings is today tragic-comic. They were the only national governing body the country had—and they possessed neither power nor money. The members were learned in statemanship. Their addresses show as much. But it was speech without authority.

The problems of putting a new nation on a sound peacetime footing—trade and commerce, foreign relations, administration of vast public lands, military establishments, and, above all, finances—these matters of immeasurable importance lay before the Congress, and the Congress was empowered to talk. In essence that was all. The Members perceived their impotence and reacted with discouragement.

One man, by his energy, held things together for a time—that was Thomas Jefferson. He drew up the form of a treaty of amity and commerce to govern trade between nations. He established a plan for handling the public lands. He was, indeed, the genius of the session, his name appearing in the record constantly. However, on May 7 he was appointed by his confreres as Minister Plenipotentiary to represent American interests abroad, and left for Europe. The main body adjourned soon after—on June 3.

A skeleton body a committee of the States, remained to carry on public business until the next session, but it quickly dwindled to one man and, on August 13, Charles Thomson, Congressional Secretary, declared the group adjourned.

The state house returned to the use of the State. It has done uninterrupted service ever since and today is the oldest state house in the Nation still fulfilling its original purpose.

The "prettiest" room—where Washington resigned and our first peacetime Government functioned—was made a museum in 1904. At that time it was restored to its original condition and set apart to honor Washington's resignation.

Desks corresponding to the number of Congressmen present that December 23, 1873, were installed—several original pieces. Now this is one of the most popular historic sites in the East. The year before the Secretary of the Interior made it a registered national historic landmark—1959—86,000 people came to visit it.

McLEAN CITIZENS' ASSOCIATION,
McLean, Va., April 2, 1963.

Senator STEPHEN YOUNG,
Chairman, Subcommittee on Public Buildings and Grounds, Senate Committee on Public Works, Washington, D.C.

DEAR MR. CHAIRMAN: I represent the McLean Citizens' Association which has a membership of approximately 700 persons residing in the area of McLean-Langley, Va. Our association includes on its board of directors representatives of a dozen community associations scattered throughout the greater McLean area.

I regret that we were not aware of the plans of your Subcommittee on Public Buildings and Grounds to hold a public hearing on March 20, 1963, regarding the recommendation of the General Services Administration to locate a new Patent Office Building in the Baltimore-Annapolis vicinity. We have no objection to this proposal, although we feel that there are several very attractive sites for the building in Fairfax County, Va.; for example, in the Tyson's Corner complex just to the west of McLean (about 14 miles from the center of Washington) and in the new Reston community (about 25 miles from the center of Washington). Both of these sites are perhaps more readily accessible from central Washington via high-speed highways than is the proposed Baltimore-Annapolis site.

Principally, however, we wish to register our unequivocal and bitter opposition to the proposal of State Senator Charles R. Fenwick of Arlington, Va., to locate the building on land owned by the Bureau of Public Roads of the Department of Commerce at Langley, Va., near the present headquarters of the Central Intelligence Agency. The board of directors of our association has asked me to request that this letter reflecting our opposition to the Langley site be included in the record of your subcommittee's hearing.

Our opposition to locating the new Patent Office Building at Langley is based on the following main grounds, among others:

(1) The Langley location for the Patent Office is entirely contrary to sound planning for the National Capital region as a whole, as well as for the McLean community.

(2) There is no logical reason or need for locating a development of this size at Langley, as compared with other suitable sites including those at Tyson's Corner or Reston mentioned above.

With reference to the first point, it is clear in the light of the policies for the National Capital region adopted by the National Capital Planning Commission and the National Capital Regional Planning Council in "A Plan for the Year 2000," that the Patent Office should not be located at Langley. The plan recommends development of the region by concentrating dense development along radial corridors serving the central city of Washington, separated by "wedges of open space." A wedge of open space or low density development is specifically planned along the Potomac River both to the west and south of the District of Columbia. It is evident that location of the Patent Office at the Langley site in close proximity to the Potomac River—both in itself as a complex of some 4,000 to 5,000 employees and in the dense surrounding development it would undoubtedly create—is directly antithetic to the Year 2000 plan. It is my understanding that for this reason the National Capital Planning Commission is opposed to the Langley site.

We also oppose the move on local planning grounds, including the resulting serious traffic impact. The Langley area of McLean is presently zoned almost entirely for one-family residential use, most of it with a minimum lot size of 1 acre. The only present commercial uses between Chain Bridge on the east and the business center of McLean on the west (a distance of about 4 miles) are several gasoline stations. There are no existing office buildings, restaurants, or apartment houses to serve a Patent Office Building at Langley short of McLean center, where there are a few small office buildings and restaurants. Fairfax County planning for the development of Langley has always been low density. (This is in contrast to the planning for the Tyson's Corner area several miles west of Langley, which is planned for extensive commercial, office, and apartment house use.)

The headquarters building for CIA, with its estimated 10,000 employees, is, of course, now at Langley, and this location of CIA has already caused the McLean community a number of serious problems in the areas of traffic, impact on local schools, etc. The CIA site, and also the proposed Patent Office site, in Langley are served by the four-lane George Washington Memorial Parkway and also by Route 123 (two-lane from Chain Bridge to the Parkway and four-lane thereafter). Since many CIA employees commute to work across Chain Bridge from homes in the District or Maryland and many residents of the rapidly growing McLean area commute in the opposite direction to employment in Washington across the same bridge, there are already critical traffic jams during weekday commuting periods and at other times, both on narrow Chain Bridge itself (maximum traffic both directions is three lanes) and on the narrow roads connecting with the bridge on both the District and Virginia shores. The addition to this traffic of hundreds and perhaps thousands of vehicles seeking to reach or return from a huge Patent Office Building at Langley via Chain Bridge would make the existing, extremely serious, traffic situation literally intolerable during commuting hours. The suggestion that such traffic conditions can be ameliorated by widening Route 123 to four lanes between Chain Bridge and the Parkway is, of course, nonsensical, since the limiting traffic factor would continue to be the three lanes of the bridge itself (two flowing in one direction, and one in the other, depending on the time of day). There are no plans to widen Chain Bridge.

On the second point, we do not see any logical basis or need to locate the new Patent Office Building at Langley as compared with sites such as those at Tyson's Corner or Reston. Both of these sites have much better road connections and are geographically so located that most Maryland and District of Columbia traffic crossing the Potomac toward these sites would probably utilize Cabin John Bridge rather than Chain Bridge. Both these areas would have many more facilities—commercial, office, and apartment house—which are useful to the Patent Office than will the McLean-Langley area. The Reston site would have the added advantage of close proximity to the Dulles International Airport. The cost advantage of Commerce-owned land at Langley is matched by the offer of the Reston developers to donate sufficient free land for the Patent Office; and I have little doubt that similar offers for sites at Tyson's Corner could be obtained. So far as distance from Washington is concerned the Tyson's Corner area might be 6 or 7 minutes beyond Langley; Reston might be 15–20 minutes farther. For many Patent Office employees, the additional distance would be more than compensated for by the fact that traffic congestion during the commuting periods on the routes to Tyson's Corner or Reston would be less than would be encountered on the jammed Chain Bridge approach to Langley.

The Patent Office would be most welcome at either Tyson's Corner or Reston, whereas residents of McLean-Langley are overwhelmingly opposed to the location of the Patent Office in Langley. This is the expressed position of our association, the largest in the area, which believes that the Bureau of Public Roads property in Langley should preferably be used to expand adjacent Federal park holdings along the Potomac. At the least, the site should be reserved for relatively low density use. For understandable business reasons, local McLean businessmen take a contrary position. However, if it is desirable, in your opinion, to evidence the depth of overall community opposition to a move of the Patent Office to McLean, we will be happy to obtain and submit many hundreds of opposing petitions.

Senator Fenwick, who is a patent attorney, and does not live in the McLean-Langley area, has told us with complete frankness that he is seeking the location of the Patent Office in Langley for reasons of personal and professional convenience. While his position is entirely understandable, we hope that the subcommittee will give due weight to the arguments presented in this letter and will consider the serious inconveniences and harm that would be caused to us who do live in the greater McLean community if the Patent Office were to move to Langley.

We respectfully request that the subcommittee take no action which would result in the Patent Office locating in Langley, Va.

Sincerely yours,

CLIVE L. DUVAL, 2d, *Director*.

THE ANNAPOLIS CHAMBER OF COMMERCE, INC.,
Annapolis, Md., March 29, 1963.

Senator PAT MCNAMARA,
Chairman, Committee on Public Works,
New Senate Office Building,
Washington, D.C.

DEAR SENATOR MCNAMARA: Enclosed find a copy of a bill being passed by the Maryland Legislature which will give attorneys appearing before the U.S. Patent Office the right to practice in Maryland.

I might point out that the legislature suspended rules in order to get this bill introduced and passed. It had the official sanction of Gov. J. Millard Tawes.

We thought you would be interested in knowing that the State of Maryland will also have this law.

Cordially,

GENE GOSCH, *Manager.*

SENATE OF MARYLAND

No. 643

MR. ALTON—Judicial Proceedings.

By the SENATE, March 23, 1963.

Rules Suspended—Introduced, read first time and referred to the Committee on Judicial Proceedings.

By order, J. WATERS PARRISH, Secretary.

A BILL

ENTITLED

AN ACT to add new Section 3(e) to Article 10 of the Annotated Code of Maryland (1957 Edition), title "Attorneys at Law and Attorneys in Fact", sub-title "Admission to the Bar," to follow immediately after Section 3(d) thereof, authorizing attorneys recognized to practice before the U.S. Patent Office in patent or trademark cases to practice patent or trademark law in Maryland so long as the U.S. Patent Office, or any part thereof, is located in Maryland, without being licensed as attorneys at law in Maryland, under certain conditions and to define such practice.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That new Section 3(e) be and it is hereby added to Article 10 of the Annotated Code of Maryland (1957 Edition), title "Attorneys at Law and Attorneys in Fact," sub-title "Admission to the Bar", to follow immediately after Section 3(d) thereof and to read as follows:

3(e)

1. Whenever and as long as the U.S. Patent Office or any part or division thereof is located in Maryland, an attorney recognized to practice before the U.S. Patent Office in patent or trademark cases shall be authorized to practice patent or trademark law in Maryland without being licensed or authorized as an attorney at law in Maryland by the Court of Appeals or by the State Board of Bar Examiners and without becoming a member of the Maryland State Bar.

2. For the purposes of this act "an attorney recognized to practice before the U.S. Patent Office in patent or trademark cases" is defined as any one who is duly authorized to practice law in any state or territory of the United States, or the District of Columbia, and who also is entitled under the rules of the U.S. Patent Office to represent another in a patent or a trademark case; and to "practice patent or trademark law" is defined to mean to perform all necessary professional services with respect to patent or trademark matters, concerning which being recognized to practice before the U.S. Patent Office for the performance of such services is required, and includes the preparation and filing of copyright applications and assignments thereof in the Copyright Office of the Library of Congress.

3. This act shall not be construed to authorize an attorney recognized for practice before the U.S. Patent Office in patent or trademark cases to appear in any court or in any tribunal other than the tribunals of the Patent Office, nor to hold himself out as authorized to practice law generally in Maryland.

SEC. 2. *And be it further enacted*, That this Act shall take effect June 1, 1963.

EXPLANATION:
Italic indicate new matter added to existing law.
[Brackets] indicate matter stricken from existing law.

PATENT, TRADEMARK AND COPYRIGHT LAW SECTION,
THE BAR ASSOCIATION OF THE DISTRICT OF COLUMBIA,
Washington, D.C., April 1, 1963.

Hon. STEPHEN M. YOUNG,
Chairman, Subcommittee on Public Buildings and Grounds,
Senate Office Building, Washington, D.C.

DEAR SENATOR YOUNG: Thank you for your letter of March 25 concerning the proposed location of the Patent Office building and your willingness to consider any statement or information which we may have.

I anticipate that the District of Columbia Bar Association will be able to submit its position and supporting reasons on this matter in the next 2 weeks. The local lawyers have intimate knowledge of this subject and would appreciate the opportunity to be heard before the subcommittee reaches a decision.

Our organization has not previously taken any official position approving or considering a Patent Office building in Anne Arundel or Howard Counties, Md.

Respectfully submitted.

G. FRANKLIN ROTHWELL, *Chairman.*

BALTIMORE, MD., *March 28, 1963.*

Hon. STEPHEN M. YOUNG,
Chairman of Public Works Committee,
Senate Office Building, Washington, D.C.

SIR: We have noticed with interest your comment in Annapolis, Md., paper relative to the new site for Patent Office Building which we hope will come to Anne Arundel County. May we bring to your attention that we have offered a most desirable 50 acres (free) for this facility? Our acreage lies in the main corridor between Washington and Baltimore and is in close proximity to Friendship International Airport. Sewer and utilities are close to our site and are available.

Our offer was submitted for consideration to Commissioner Hodges and Administrator Bernard L. Boutin, General Services Administration. The advantages of our location as compared to a piece south of Annapolis that has also been offered are many. We are submitting this for your consideration and will be pleased to come to Washington to discuss this more fully with you and your committee.

Respectfully,

IRVING E. ROBINSON,
Care of Robinsons Department Store, Glen Burnie, Md.

WATSON, COLE, GRINDLE & WATSON,
Washington, D.C., March 27, 1963.

Hon. STEPHEN M. YOUNG,
Public Works Committee,
U.S. Senate, Washington, D.C.

MY DEAR SENATOR: This is the first opportunity I have had to write you since reading the report in the local newspapers of the recent hearing of your committee on the new location for the U.S. Patent Office, particularly with respect to the ill-advised proposal to move the Patent Office to Annapolis or other remote points in Maryland.

We of the patent bar certainly appreciate your reported remarks concerning the inconvenience (quite an understatement) which would be suffered by the patent lawyers and scientists having frequent occasion to visit the Patent Office. The contradictions of your position by your colleagues Brewster and Beall and Representative Lankford, if truly reported, were complete misrepresentations of the facts.

However, the disruption of the practice of the local patent bar, which you were reported as saying comprises about 25 percent of the profession—while

quite injurious, harmful, and unjustified, in view of the longtime establishment of well-known and reputable patent law firms in this city, some for as long as 100 years—is not the whole story.

In our opinion, for efficiency of operation, the Patent Office should be maintained in close proximity to—

(*a*) the Court of Customs and Patent Appeals, the district court, and the Court of Appeals for the District of Columbia, where patent appeals are tried;

(*b*) the Library of Congress and other scientific libraries of Washington, including those of the Bureau of Standards, National Institutes of Health, Agriculture Department, etc.;

(*c*) the four law schools in Washington, where many patent examiners and also embryo patent lawyers get their legal education in the evenings while working in the Patent Office or in law offices in the daytime; it would undoubtedly be quite impossible for these students to attend law school in the evenings while working as far away as Annapolis;

(*d*) photolithography and other copying establishments, for quick action in reproducing drawings and patent application papers;

(*e*) patent draftsmen;

(*f*) adequate office structures and housing both permanent and transient; and

(*g*) established communities with adequate fire protection, sewerage, sanitary services, street cleaning, and year-round weather and flood protection.

I know that we of the local patent bar would appreciate it mightily if you would exert your best efforts in keeping the Patent Office in the District of Columbia, and if you could indicate to us how best we may present our cause to those in authority who may through ignorance of the true situation be about to do serious and irreparable damage to the patent system.

Very truly yours,

A. E. HUMMER.

WATSON, COLE, GRINDLE & WATSON,
Washington, D.C., March 30, 1963.

Subject: Patent Office building.

Hon. STEPHEN M. YOUNG,
U.S. Senate,
Washington, D.C.

DEAR SENATOR YOUNG: In connection with the proposed new Patent Office building, you are reported to have questioned whether it really makes sense to locate the building as far from Washington as Annapolis. Others in official circles in commenting on the proposed move have seemed obviously motivated by political considerations rather than by a desire for efficient functioning of the Patent Office and promotion of the patent system. I take the liberty, therefore, of sending you a copy of a report by the General Services Administration, Project No. 49926, which seems to me to offer the best argument for retaining the Patent Office in Washington that has been advanced thus far.

Probably this document has already come to your attention, and the conflict between the alleged facts and the conclusion reached by the GSA are apparent to you. If not, I call your attention to the long paragraph on page 2 of the report, discussing the question of selection of agencies to be taken out of Washington, and concluding with these two sentences: "The Patent Office is engaged in operations carrying out established policies and programs within well-defined areas, requiring only limited headquarters supervision. Therefore, its activities can be carried on elsewhere 'without excessive cost or significant loss of efficiency.'"

In the succeeding paragraph of this report, there are given the factors which "underlie the decision to recommend location of the new facilities within commuting distance of Washington," a comment which on its face contradicts the conclusion reached in the preceding paragraph. There follow seven numbered items, each of which indicates clearly the need to retain the Patent Office in Washington proper. One of the more important of these, from the standpoint of Patent Office efficiency, is item (3), appearing at the top of page 3 of the report. A very considerable number of new examiners are recruited each year.

and the majority of these do not have their law degrees when they enter the examining corps, but they study law at night at any of the several accredited schools available in Washington. Most of these young men are already trained technically, and are ambitious to advance in the profession of patent law. If the Patent Office were removed to Annapolis, as is now being seriously urged, the number of available recruits will be significantly reduced because of the lack of proximity of the Office to law schools, and many of those who are taken on will be of far less value to the Patent Office ultimately because of lack of knowledge of law.

Our firm is entering its hundredth year of practice before the Patent Office and in the courts. We have a well-staffed office with men of highly specialized legal and technical training and the office itself is well equipped. During most, perhaps all, of these hundred years our office has been located in Washington proper. As you have pointed out, Washington contains more patent lawyers than any other city, the estimate being 20 to 25 percent of the total, and most of them are firmly established in Washington. It should be apparent to any unbiased person that the operation of patent law offices with the Patent Office in Annapolis, the appellate tribunals in Washington, along with the Congressional Library and other departmental agencies with which patent lawyers have frequent contact, would be most inconvenient and extremely costly in time and money. Ultimately, the cost will be paid by inventors and patent-minded corporations, but the inconvenience and the loss of efficiency, both to Patent Office employees and to practicing lawyers, cannot be compensated in dollars.

If I may say so, the selection of the Patent Office as an agency which can readily be moved out of Washington is utter nonsense, and you are to be commended for approaching the question from the standpoint of logic rather than politics.

Yours very truly,

FRANCIS G. COLE.

THE COMMITTEE FOR PRESERVING THE POTOMAC,
McLean, Va., April 4, 1963.

Hon. STEPHEN YOUNG,
Chairman, Subcommittee on Public Buildings and Grounds, Committee on Public Works, U.S. Senate, Washington, D.C.

DEAR SENATOR YOUNG: The Committee for Preserving the Potomac, of which I have the honor to be chairman, would like to associate itself with the statements made to you by Mr. Clive L. DuVal 2d, director of the McLean Citizens Association, in his letter to you dated April 2, which expresses opposition to any proposal to locate a new building for the Patent Office on the land owned by Bureau of Public Roads of the Department of Commerce at Langley, Va.

One of the objectives of this committee is to preserve the banks of the Potomac from further development for commercial purposes. The property at Langley, which is referred to above, is currently heavily wooded and very rough property. This committee, along with others, has for some years been endeavoring to persuade the Department of Commerce (Bureau of Public Roads), which apparently has no further use for the property, to transfer it to the National Park Service for park purposes. The land extends from Virginia Highway 123 down to the Memorial Parkway, which, of course, overlooks the Potomac River. It is one of the few remaining tracts of land near Metropolitan Washington which the Government owns (and which is therefore off the tax rolls already) which is suitable for park purposes and which, of course, adjoins property already under the jurisdiction of the National Park Service.

This committee therefore urges your subcommittee to approve the prospectus as submitted by the Patent Office for location of this building somewhere in Howard County, Md., or elsewhere in Maryland. However, we would also join Mr. DuVal in stating that we obviously would have no objection if the committee felt the building should be elsewhere in Fairfax County—for example, at the Reston site, or at the Tysons Corner site.

I am sending a copy of this letter to the other members of your subcommittee for their information.

Sincerely yours,

SAMUEL E. NEEL,
Chairman, Committee for Preserving the Potomac.

AMERICAN AUTOMOBILE ASSOCIATION,
Washington, D.C., April 9, 1963

Hon. STEPHEN M. YOUNG,
Chairman, Subcommittee on Public Buildings and Grounds of the Senate Public Works Committee, U.S. Senate, Washington, D.C.

DEAR SENATOR YOUNG: I understand that there is presently before the Subcommittee on Public Buildings and Grounds a request by General Services Administration for an authorization to acquire the AAA building located at 1712 G Street NW. This request of the GSA is contained in a prospectus for the proposed acquisition under Public Buildings Act of 1959 and is identified as project No. 49927. The GSA request includes, in addition to the AAA Building, the Mills Building on the corner of 17th Street and Pennsylvania Avenue, the Riggs Bank Building on the corner of 17th and G Streets, and other properties in the immediate area.

The AAA Building located at 1712 G Street is owned by the Federal District Corp. under lease to the American Automobile Association, a nonprofit federation of 750 State associations, automobile clubs, and branches serving the needs of some 7,800,000 members. The Federal District Corp. is a wholly owned subsidiary of the American Automobile Association.

We submit that the request for acquisition of the AAA property at 1712 G Street N.W. and the justifications set forth by the General Services Administrator should be denied for the following reasons:

1. Much of the activity of the AAA is the maintenance of close working relations with agencies of the Federal and District Governments located in close proximity to this location.

2. The AAA office is a center for touring and travel information and service for thousands of tourists who visit the White House, art galleries, Washington Monument, Lincoln Memorial, and other tourist attractions, all located in close relation to our offices.

3. Our building does not face on 17th Street and, therefore, cannot be said to detract in any way from the appropriate setting for the White House and the Executive Office Building.

4. If it is considered essential to protect the frontages on 17th Street, we submit that it is not necessary to include our building in any new building project.

5. The public interest and the economic health of Washington as the Federal City is dependent on a fair balance as between Government and private agencies whose purposes and functions are to serve the many facets of Government. A map of the area in question shows that in recent years there has been a very large increase in Government building and buildings occupied by governmental agencies. We do not deem it desirable or in the public interest that there be a further concentration of governmental agencies within the very limited area in question.

The AAA has occupied its national headquarters operations in the vicinity of 17th and G Streets for over 30 years. We have served hundreds of thousands of visitors to Washington from this location of convenience to governmental and historical attractions. This is a public service of importance to all branches of our Government.

We respectfully urge that the request for authorization by General Services Administration to acquire the AAA property located at 1712 G Street NW. be denied for the reasons stated herein.

In the event that a denial of our request is contemplated, we respectfully urge that because of the limited time we have had to make representation to your honorable committee we be given an opportunity to make additional representation in support of our position.

It is requested that this letter be included in the official hearings of your subcommittee on this matter.

Sincerely,

RUSSELL E. SINGER,
Executive Vice President.

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